

RESOLUTION # LO-2020

Resolution offered by the Supervisors of the Public Safety Committee

Resolved by the Board of Supervisors of Oneida County, Wisconsin:

**WHEREAS**, pursuant to Oneida County Code section 5.01(9)(a) the County Civil Service Commission shall "Prepare and publish such rules and regulations to carry out its duties under this chapter to secure the best service for the County. Such rules and regulations shall be submitted to the County Board for its approval", and

**WHEREAS**, on November 5<sup>th</sup>, 2019 the Civil Service Commission approved changes to the Civil Service Rules and Regulations (see attached Civil Service Rules and Regulations); and

**WHEREAS**, the Oneida County Civil Service Commission believes that the proposed rules are in the best interest of Oneida County.

**NOW, THEREFORE, BE IT RESOLVED**, by the Oneida County Board of Supervisors that the attached Civil Service Rules and Regulations are hereby adopted.

Vote Required: Majority = X 2/3 Majority = \_\_\_\_\_ 3/4 Majority = \_\_\_\_\_

The County Board has the legal authority to adopt: Yes X No \_\_\_\_\_ as reviewed by the Corporation Counsel, [Signature], Date: 1/20/2020

Approved by the Public Safety Committee this 14 day of November, 2019.

Consent Agenda Item: X YES \_\_\_\_\_ NO

Offered and passage moved by:

[Signature] Supervisor  
[Signature] Supervisor  
[Signature] Supervisor  
[Signature] Supervisor  
\_\_\_\_\_  
Supervisor

19 Ayes

0 Nays

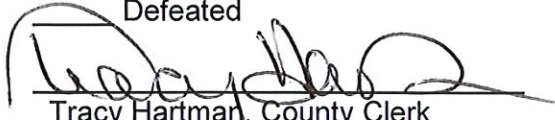
2 Absent

0 Abstain

X Adopted

by the County Board of Supervisors this 21 day January, 2020.

Defeated

  
Tracy Hartman, County Clerk

  
David Hintz, County Board Chair

# Consent Agenda - Res. #1-2020 to #8-2020

Supervisors	AYE	NAY	ABS	ABSTAIN
VanRaalte	X			
Jensen	X			
Fried	X			
Pence	X			
Kelly	-	-	X	
Winkler	X			
Vacant	-	-		
Krolczyk	X			
Schreier	X			
Almekinder	X			
Mott	X			
Ives	X			
Timmons	X			
Cushing	X			
Paszak	X			
Liebert	X			
Holewinski	X			
Oettinger	X			
Sorensen	X			
Fisher	X			
Hintz	X			
<b>TOTALS</b>	<b>19</b>		<b>3</b>	
TAGS				

**Resolution #1 – 2020:** Offered by the Supervisors of the Land Records Committee approving the conveyance of PIN RH 945 to Five Sisters Coffee, LLC.

**Resolution #2 – 2020:** Offered by the Supervisors of the Land Records Committee granting an easement across tax parcel number PL 551-4 to Wisconsin Public Service Corporation.

**Resolution #3 – 2020:** Offered by the Supervisors of the Land Records Committee approving the conveyance of part of PIN CA 933-1 & CA 1001-1 to Bradley J. Wiedenhoef, Gregory T. Wiedenhoef, Chad J. Wiedenhoef and Todd K. Wiedenhoef and part of PIN CA 933-1 & CA 1001-1 to the Town of Cassian.

**Resolution #4 – 2020:** Offered by the Supervisors of the Land Records Committee approving the conveyance of part of PIN LT 146-4 to Timothy C. Willett.

**Resolution #5 – 2020:** Offered by the Supervisors of the Land Records Committee approving the conveyance of part of PIN NE 680-1 & part of PIN NE 699-1 to Piper A Sheahan and part of PIN NE 680-1 & part of PIN NE 699-1 to the Town of Newbold.

**Resolution #6 – 2020:** Offered by the Supervisors of the Public Safety Committee adopting the Civil Service Rules and Regulations.

**Resolution #7 – 2020:** Offered by the Supervisors of the Forestry, Land and Recreation Committee approving the 2020 Oneida County Forest Work Plan.

**Resolution #8 – 2020:** Offered by the Supervisors of the Public Works Committee approving payment of \$50,386.30 to the Town of Sugar Camp with the money to come from the County Bridge Aid Account.

Appointments to Committees, Commissions and other Organizations:

Re-Appoint Dennis Carriere to the Oneida County Library Board with a term to expire in December 2022.

Re-Appoint Ann Ovsak to the Board of Health with a term to expire in June 2022.

Appoint William Boehm, Boehm's, to act as an authorized Emergency Fire Warden in Oneida County.

Appoint James Henry, Northwoods Store, to act as an authorized Emergency Fire Warden in Oneida County.

Appoint Charlie Gahler, Woodruff Ace Hardware, to act as an authorized Emergency Fire Warden in Oneida County.

TO THE HONORABLE MEMBERS OF THE ONEIDA COUNTY BOARD OF SUPERVISORS:

The Sheriff and the Civil Service Commission of Oneida County, herein present the revised *Rules and Regulations, Sixth Edition*. These are prepared for the general administration and operation of the Sheriff's Office. This booklet is a successor to the first five editions that were also prepared by the Civil Service Commission of Oneida County. The Commission was established by the Oneida County Board of Supervisors on January 1, 1973.

Dated this Nov. 5, 2019.

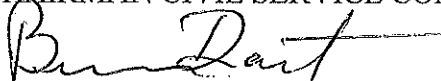
Respectfully submitted:

CIVIL SERVICE COMMISSION



TIMOTHY MELMS

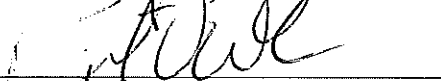
CHAIRMAN CIVIL SERVICE COMMISSION



BERNIE DART, MEMBER



MARY MARTIN, MEMBER



PAT VOLK, MEMBER



HARRY WHIDDEN, MEMBER

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## OFFICE OF THE SHERIFF

This manual for Deputy Sheriffs is intended to be a practical guidebook and a copy of this book is being placed in the hands of each Deputy Sheriff. This book is intended to cover matters with which our Deputies are required to be familiar.

It is expected and hoped that this *Rules and Regulations, Sixth Edition* publication will contribute to the maintenance of our high Office standards. Deputies will be expected to know these Rules and Regulations and from time to time the Deputies will be subject to examination.

Acknowledgment is hereby given to the County Board of Supervisors, County Civil Service Commission, the Chief Deputy, Oneida County Deputy Sheriff's Association, Labor Relations Director, and the Corporation Counsel for their able co-operation in the preparation of this book. I am very pleased that they have shared their commitment in this process of providing our citizens with the very best in law enforcement and service to our Oneida County communities, our State of Wisconsin, and our great United States of America.



Grady Hartman  
Sheriff of Oneida County

## INTRODUCTION

The prime functions of the Sheriff's Office are the preservation of the public peace and order, the prevention and detection of crime, the apprehension of offenders, the protection of persons and property, and the enforcement of the laws of the State and the ordinances of the County. For these purposes the deputy sheriffs are endowed with legal authority. In the exercise of this power, justice and equity should be the actuating motives.

To achieve true success the Office must earn and retain the confidence and respect of the public whom it serves. This can be accomplished only by constant and earnest endeavor on the part of all members of the Office to perform their duties in an efficient, honest and business-like manner, and by exemplary conduct, cultivation in the public mind the fullest realization that the Sheriff's Office is a most vital prerequisite to public well being.

In order to properly perform, it is essential that members of the Office familiarize themselves thoroughly with all the rules pertaining to their respective duties as deputies.

Deputy Sheriffs, regardless of rank, should remember that in the execution of their duties they act not for themselves, but in the interest of the public. The entire law regulating their functions hinges upon this principle. Deputy Sheriff's must bear in mind that they represent the dignity and authority of the State and County and are the representatives of the law to whose lawful demands all must submit and such submission can be compelled when necessary. Deputy Sheriffs should use no unnecessary force nor hesitate to use necessary force when circumstances require.

## LAW ENFORCEMENT CODE OF ETHICS

AS A LAW ENFORCEMENT OFFICER, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence and disorder; and to respect the Constitutional rights of all persons to liberty, equality and justice.

I WILL keep my private life unsullied as an example to all, 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 in both my personal and official life, I will be exemplary in obeying the laws of the land and regulations of my Office. Whatever I see or hear of a confidential nature or 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, 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 the police service. I will constantly strive to achieve

these objectives and ideals, dedicating myself to my chosen profession ---- law enforcement.

### AN OFFICER'S CREED

AS A DEPUTY SHERIFF, I regard myself as a member of an important and honorable profession.

AS A DEPUTY SHERIFF, I will keep myself in good physical condition so that I may perform at all times my police duty with utmost efficiency and, if necessary, defend my uniform with honor.

AS A DEPUTY SHERIFF, it is my duty to know my work thoroughly and to know and understand all other phases of police work. It is my further duty to avail myself of every opportunity to learn more about my professional work.

AS A DEPUTY SHERIFF, I will be exemplary in my conduct, edifying in my conversation, honest in all my activities and obedient to all the laws of the County, State and Nation and I shall regard my oath as I regard my sacred honor.

AS A DEPUTY SHERIFF, I will not, in the performance of my duty, work for personal advantage or profit. I shall recognize at all times that I am a public servant obligated to give the most efficient and impartial service of which I am capable. I will forever be courteous in all my contacts and activities.

AS A DEPUTY SHERIFF, I will regard my fellow officer with the same standards as I hold for myself. It is my duty to guard their honor and their life, as I guard my own.

AS A DEPUTY SHERIFF, I will be loyal to my superiors who determine my policies and accept responsibility for my actions. I shall do only those things, which will reflect honor upon them, upon myself, and upon my profession.

### **ADMINISTRATION** **POWERS, DUTIES AND LIABILITIES OF SHERIFF**

The duties and powers of the Sheriff are not prescribed by the Constitution, but they were well known at the time the Constitution was adopted, and neither the legislature nor any other body has the right to take away any of the Sheriff's powers or duties as they existed when the Constitution was adopted, and confer them on some other officer. The Sheriff is required to keep and preserve the peace in their -respective county and quiet and suppress all affrays, routs, riots, and unlawful assemblies and insurrections. This is the provision of law, which makes "peace officers" the term generally used.

### ***OTHER DUTIES***

The Sheriff is responsible for the enforcement of all criminal laws, and the fact that other officers may be given by law special duties and powers in the enforcement of specific laws does not relieve

the Sheriff of the duty to enforce such laws when the Sheriff learns of the violation. The Sheriff is an officer of every court within the county, and is also responsible for the conduct of the county jail.

The Sheriff shall see that the laws of the state and the ordinances of the county are duly enforced. The Sheriff shall have sole and absolute command over all persons connected with the Sheriff's Office and shall possess full authority over its organization, government, and discipline.

## **RESPONSIBILITY OF COMMAND**

All conduct of the members of the Sheriff's Office, detrimental to the welfare of the Office, coming to the knowledge of the superior officers, shall be investigated by them and report of same made to the Sheriff or Chief Deputy. The relative rank in positions and command of officers of the Sheriff's Office shall be designated as follows:

1. Sheriff
2. Chief Deputy
3. Captain
4. Sergeants and Detective Sergeants
5. Deputies

In the absence of the Sheriff, Chief Deputy, and Captain, the Sheriff shall designate an officer from the officers of highest rank and seniority in the Office to be in command of the Office. Detective Sergeants shall be in command at a crime scene and they shall coordinate the assignment of personnel with the Patrol Sergeant.

## **CHIEF DEPUTY**

The Chief Deputy has full charge of the Sheriff's Office during the Sheriff's absence, and during such absence has all the Sheriff's duties, authority and powers. The Sheriff may direct and delegate such duties to the Chief Deputy essential to the efficient operation of the Office. Those duties may include responsibility for criminal investigations and solution of the criminal cases, public relations, and cooperation and mutual assistance with other enforcement agencies within and out of the county.

Under the direction of the Sheriff, the Chief Deputy shall be responsible for the operation of the Sheriff's Office in the absence of the Sheriff. The Chief Deputy shall perform the following related work, as required.

Be the head administrative and personnel officer with the Office. It is the intent in connection with the specifying of duties to provide, within the limitations of the existing law and Constitution, a continuity in law enforcement as it relates to the Sheriff's Office and to provide any incoming Sheriff an efficient trained working organization and to relieve the Sheriff of many details in connection with the responsibility of that office.

It is to be understood that all general policy and top direction will still ultimately come from the Sheriff but that the Chief Deputy with the authority herein, will furnish the necessary leadership and

administration on a continuing basis so as to eliminate morale problems and provide a more efficiently trained and operable Office detached from any political influence whatsoever.

The Chief Deputy shall require from subordinates a proper attitude of respect and obedience at all times, and shall on no occasion indulge in un-officer-like familiarities with them. The Chief Deputy shall set an example of proper conduct in sobriety, dignity, courtesy, discretion, and the proper observance of discipline and shall at all times during a tour of duty appear neatly attired, clean in person, and equipment.

## **ESSENTIAL DUTIES AND RESPONSIBILITIES**

1. Evaluate Office staffing needs, develop and administer budget resources and manage personnel to achieve Office wide program objectives. Assign areas of accountability and delegate authority to subordinate supervisory personnel.
2. Manage and direct Office personnel, which includes discipline, transfer, suspension, evaluation and recommendation for hiring, discharge and promotion. Assume responsibility for all Office grievances and the proper referral on such matters to the appropriate agency.
3. Manage and direct criminal investigations in the Office. Evaluate the needs of staff and provide the required equipment and resources for investigations, undercover operations, raids, arrests and or surveillance.
4. Analyze and evaluate effectiveness of organizational operations and institute new or revised methods, develop policies, procedures, and work rules as indicated. Coordinate these operations with County Offices, Cities, Townships as well as federal, state, and local agencies.
5. Provide professional guidance, develop and direct training programs and provide policy interpretations for supervisors and staff.
6. Make recommendations to the Civil Service Commission and/or Personnel Committee related to personnel issues and represent the Office as required in labor negotiation issues.
7. Develop and manage Office facilities, equipment and vehicles to promote efficiency, effectiveness, and safety.
8. Develop and maintain a close liaison with federal, state, and local Offices/ agencies, news media, professional organizations and civic groups.
9. Represent the Sheriff in matters pertaining to Office programs or operations and represent the Sheriff at public speaking engagements.

10. Maintain personal proficiency in the use of weapons and enforcement tools or techniques. Attend professional conferences, seminars for law enforcement managers. Take proper enforcement action for law violations.

### **CAPTAIN**

The Captain is third in command of the Office, working such hours as directed by the Sheriff or Chief Deputy. The Captain is responsible to plan, organize, and implement Office operations and programs. The Captain shall assign and direct subordinates, ensuring that all policy, rules, regulations, orders, procedures and directives are enforced and implemented. The Captain shall make independent decisions or recommendations in the hiring, promotion, transfer, discipline or discharge of Office employees in accordance with Office Policy and Procedures, Oneida County Code, and Wisconsin Statutes. The Captain shall set an example of proper conduct in sobriety, dignity, courtesy, discretion, and the proper observance of discipline and shall at all times during their tour of duty appear neatly attired, clean in person, and equipment.

### **ESSENTIAL DUTIES AND RESPONSIBILITIES:**

1. Provide supervision to assigned personnel on a daily basis. Monitor and evaluate operations for improvements, coordinating and integrating new procedures.
2. Manage and evaluate staff, develop job descriptions, objectives, and perform employee performance evaluations.
3. Receive the complaints and notification of the grievances of the employees, and use independent judgement in making recommendations to effectively adjust the complaints and grievances.
4. Assist in the preparation of the Office budget, monitor the budget, and prepare reports and analysis as called upon.
5. Ensure that all assigned personnel are competent to carry out their assigned duties and to relieve from duty any member considered incompetent.
6. Ensure that all staff meets Federal, State, and County training requirements. Attend training programs to keep current on issues affecting law enforcement operations.
7. Administer and supervise assigned functions. Review, prioritize, and assign as required to meet program goals.
8. Meet with the Sheriff, Chief Deputy, Jail Administrator, and other management staff to discuss policies, procedures, rules and changes that affect the operation of the Office.
9. Communicate with appropriate agencies in regard to Office operations.

10. Perform the duties of the Sheriff in the absence of the Sheriff and Chief Deputy.
11. Perform any other duty as assigned by the Sheriff or Chief Deputy.

### **ADMINISTRATIVE SERGEANT**

The Administrative Sergeant shall supervise Deputy Sheriffs and Court Services, subject to the order of the Sheriff or Chief Deputy. The Administrative Sergeant shall direct the work of the Office in accordance with State Statute, Policy and Procedures prescribed by the Sheriff and Chief Deputy, under the direction of the Patrol Captain.

Sergeants shall require from their subordinates a proper attitude of respect and obedience at all times, and shall on no occasion indulge in un-officer like familiarities with them. They shall set an example of proper conduct in sobriety, dignity, courtesy, discretion, and the proper observance of discipline and shall at all times during their tour of duty appear neatly attired, clean in person and equipment.

### **ESSENTIAL DUTIES AND RESPONSIBILITIES:**

1. Performs all essential duties of deputy sheriffs as appropriate.
2. Ensure adequate allocation of personnel and resources for completion of assignments in the Court Services and Records Bureau.
3. Directs the work of deputy sheriffs who are assigned to court services and transports, clerk-matron, and secretaries as required.
4. Coordinate the transportation of all prisoners in the custody of the Sheriff and make arrangements for the movement of inmates for all scheduled appearances. This responsibility includes the operation of the detention area located at the Oneida County Courthouse.
5. Coordinate and maintain a working relationship for all court related activities between the Office, and: Circuit Court, Clerk of Courts, Corporation Counsel, District Attorney's Office, and County Offices. This includes maintaining security at the Courthouse to the level established by Oneida County.
6. Review reports and arrests generated by court service deputies and review and assign work to clerk matron and secretaries.
7. Be present or available for consultation regarding any incidents of a serious nature occurring in assigned area of responsibilities.
8. Read, review and implement practical applications contained in the Wisconsin State Statutes, Law Enforcement Bulletin, Wisconsin Law Enforcement Officers Criminal

Law Handbook, Policies and Procedures, and other manuals.

9. Review schedules for assigned personnel to ensure adequate assignment of personnel for future shifts.
10. Ensure that assigned personnel have adequate supplies, make recommendations for replacement or additional supplies or equipment.
11. Make recommendations for training of staff under their supervision
12. Complete ongoing evaluation of staff under their supervision and complete required forms.
13. Any other assigned duties.

### **PATROL SERGEANT**

Sergeants shall, if possible and practicable, be present at accident scene, criminal act of serious nature, or any incident occurring during their tour of duty where their presence would be of value to the investigation.

Sergeants shall require from their subordinates a proper attitude of respect and obedience at all times, and shall on no occasion indulge in un-officer like familiarities with them. They shall set an example of proper conduct in sobriety, dignity, courtesy, discretion, and the proper observance of discipline and shall at all times during their tour of duty appear neatly attired, clean in person and equipment.

Patrol Sergeants shall supervise patrol, dispatch and secretarial staff during their respective shifts, subject to the order of the Sheriff or Chief Deputy. They shall direct the work of the Office in the accordance with State Statute, Policy and Procedures prescribed by the Sheriff and Chief Deputy under the direction of the Patrol Captain.

### **ESSENTIAL DUTIES & RESPONSIBILITIES:**

1. Performs all essential duties of patrol deputy as appropriate.
2. Ensure adequate allocation of personnel and resources during their shift.
3. Directs the work of patrol deputies, transport officers, secretarial staff and emergency 911 personnel as required.
4. Ensure that all calls for service from citizens are answered by assignment of personnel or referral.

5. Review reports and arrests generated by patrol deputies.
6. Be present or available for consultation regarding any incidents of a serious nature occurring during their shift.
7. Read, review and implement practical applications contained in the Wisconsin State Statutes, Law Enforcement Bulletin, Wisconsin Law Enforcement Officers Criminal Law Handbook, Policies, Procedures and other manuals.
8. Review schedules to ensure adequate assignment of personnel for future shifts.
9. Ensure that patrol and emergency 911 center has adequate supplies, make recommendations for obtaining or replacing supplies and equipment.
10. Make recommendations for training of staff under their supervision.
11. Complete ongoing evaluation of staff under their supervision and complete required forms.
12. Any other assigned duties as directed.

### **DETECTIVE SERGEANT**

Detective Sergeants shall not leave the county to conduct any investigation or to perform any act within the scope of their duties without the express permission of their commanding officer or superior officer in charge, except when in immediate pursuit of a fugitive.

Plain clothes Detective Sergeants assigned to duty in radio equipped Office vehicles will be subject, in the operation of same, to the rules laid down for the government of deputies assigned to squad car duty insofar as they are applicable. The fact that plain clothes Detective Sergeant is detailed to special service in the detection and prevention of crime shall not be construed as relieving the Detective Sergeant of the responsibility for taking prompt and proper action in the matter of any violation of the laws, ordinances, and regulations coming to the Detective Sergeant's attention.

Detective Sergeants shall require from their subordinates a proper attitude of respect and obedience at all times, and shall on no occasion indulge in un-officer-like familiarities with them. They shall set an example of proper conduct in sobriety, dignity, courtesy, discretion, and the proper observance of discipline and shall at all times during their tour of duty appear neatly attired, clean in person and equipment.

Detective Sergeants shall supervise deputies and Office personnel as required, subject to the order of the Sheriff or Chief Deputy. They shall direct the work of the Office in the accordance with State Statute, Policy and Procedures prescribed by the Sheriff and Chief Deputy, under the general supervision of the Investigative Captain.

## **ESSENTIAL DUTIES & RESPONSIBILITIES:**

1. Performs all essential duties of a patrol deputy as appropriate.
2. Conduct criminal investigations as directed and respond to critical incidents as requested. Request and utilize the proper cooperation of other law enforcement authorities when required to assist with the investigation of crimes being committed in the jurisdiction of the Office.
3. Supervises the work of Office personnel, as assigned.
4. Review reports and arrests generated by patrol deputies and patrol sergeants and identify any trends with criminal activity or suspects. Utilize the crime prevention officer as required to assist with crime prevention activities in the Office.
5. Be present or available for consultation regarding any incidents of a serious nature occurring during their duty shift.
6. Read, review and implement practical applications contained in the Wisconsin State Statutes, Law Enforcement Bulletin, Wisconsin Law Enforcement Officers Criminal Law Handbook, Policies, Procedures and other manuals.
7. Ensure that adequate crime scene investigation equipment and supplies are available, and make recommendations for replacement or additional supplies and equipment.
8. Make recommendations for training of staff under their supervision.
9. Complete ongoing evaluation of staff under their supervision and complete required evaluation forms as directed.
10. Conduct background investigations of individuals being considered for employment and report these findings as directed.
11. Conduct internal investigations as directed by the Sheriff or Chief Deputy.
12. Any other assigned duties.

## **DEPUTY SHERIFF**

All original appointments to the Sheriff's Office as Deputy Sheriff shall be for a probationary period of one-year (12 months). Continuation in the service being dependent upon the conduct of the appointee and the fitness for the performance of the duties to which assigned, as indicated by reports and evaluations of superior officers. If at any time during the one-year (12 months) probationary period the appointee shall be deemed unfit or fail to meet the mandatory requirements of recruit training, field training program, the appointment may be terminated by the Sheriff.

It shall be the duty of a Deputy Sheriff of the Office to interchangeably carry out the duties with respect to traffic enforcement and patrol, investigations, public facility security, transportation of inmates, civil process and court security as may be required by the assignment of the commanding officer. The Deputy Sheriff shall at all times during their tour of duty appear neatly attired, clean in person, and equipment.

These duties constitute the responsibility to protect life and property through enforcement of laws. Directed supervision is received from a Sergeant. Assigned duties are performed in accordance with state statutes and Office policy and procedure.

#### **ESSENTIAL DUTIES & RESPONSIBILITIES:**

1. Patrols streets, highways and other public and private areas to enforce laws, protect citizens, investigate suspicious circumstances, and discourage the commission of crimes.
2. Responds to calls for service from the public to investigate crimes, disputes, motor vehicle accidents and disturbances.
3. Provides first aid, other assistance and referrals for accident victims and others requesting or requiring assistance.
4. Issue citations, make arrests, conduct interviews, interrogations, and intervene where appropriate.
5. Transmit and receive radio messages, operate squad vehicle and equipment, dictate and prepare required reports.
6. Operate Office equipment such as firearms, computers, radios, radar, ATV, boat, motor vehicles, baton, OC spray.
7. Maintain security of all persons in their custody.
8. Maintain security as assigned in courtrooms and designated public buildings as directed.
9. Read, review and implement practical applications contained or derived from the Wisconsin State Statutes, Wisconsin Law Enforcement Bulletin, Wisconsin Law Enforcement Officers Criminal Law Handbook, Office Policies and Procedures and other manuals as directed.
10. Assume the duties, responsibilities and authority of the Sergeant, as directed, in the Sergeant's absence.
11. Any other duties assigned by the Sheriff.

#### **RANGE OFFICER**

The Sheriff may appoint a Range Officer from within the ranks of the Office. The Office member selected shall be required to maintain current certification by the State of Wisconsin. The Range Officer, while performing in that capacity, shall have complete supervision and direction over all Office members, regardless of rank, this authority shall not extend beyond the training, handling, and care of assigned weapons and other areas related thereto. The Sheriff may assign a Office Armorer(s) and Office Firearms instructor(s) to assist the Range Officer with these duties. When executing these duties, these members shall be subordinate to the Range Officer.

#### **ESSENTIAL DUTIES & RESPONSIBILITIES:**

1. Shall be familiar with current training methods and programs in the use of weapons and ammunition as related to law enforcement.
2. Shall implement in-service training programs for all officers and within that program conduct qualifying shoots on an annual basis. Minimum qualifications shall be implemented in accordance with the standards recommended by the State of Wisconsin, Law Enforcement Standards Board.
3. Shall keep complete records of all training programs.
4. Shall ensure that all new deputies are qualified to operate assigned Office weapons and conduct the necessary training to accomplish this.
5. Shall conduct training to provide that all officers become familiar with the care and operation of assigned weapons and understand the limitations and applications of the assigned Office weapons. The Range Officer will insure that all deputies assigned to training have adequate personal safety protection. The minimum safety protection for deputies at range training is eye and ear protection.
6. Shall be responsible for ensuring the availability of adequate supplies of service and practice ammunition and weapons to all officers at all times.
7. Shall maintain an inventory and assignment ledger for all Office weapons.
8. Shall use the established chain of command to seek approval for the purchase and/or disposal of any firearms that may be required for the Office.
9. Shall be responsible for the regular cleaning and maintenance of all Office weapons. The Sheriff may authorize the Range Officer to train additional deputies to perform duties as Armorer(s) to assist with these duties.
10. Shall be responsible to coordinate the required security, maintenance, and upkeep of the Office firing range. This shall be conducted with the cooperation of the Buildings and Grounds Office.
11. Shall function as range master when assigned to Office firearms training.

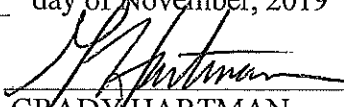
**RULES AND REGULATIONS**  
**FOR THE**  
**ONEIDA COUNTY SHERIFF'S OFFICE**

Pursuant to 5.06 (5) of the General Code of Oneida County Wisconsin, the Sheriff, the Chief Deputy, and the Civil Service Commission have jointly prepared these rules for the Sheriff's Office.

Members of the Office will understand that no arbitrary rules can be established which will embrace all cases arising in the general discharge of their duties; something must necessarily be left to the intelligence and discretion of the individual, but if that discretion is used maliciously or improperly, the member of the Office is answerable to higher authority.

All previous rules, regulations and orders in conflict with these Rules and Regulations are hereby revoked.

Dated this 5<sup>th</sup> day of November, 2019

  
\_\_\_\_\_  
GRADY HARTMAN  
SHERIFF of ONEIDA COUNTY

  
\_\_\_\_\_  
DANIEL L. HESS  
CHIEF DEPUTY of ONEIDA COUNTY

  
\_\_\_\_\_  
TIMOTHY MELMS  
CHAIRMAN, CIVIL SERVICE COMMISSION

Pursuant to the provisions of the laws of Wisconsin, the Rules and Regulations hereinafter set forth are compiled, adopted and published by the Sheriff, Chief Deputy, and Civil Service Commission of Oneida County for guidance and governing of the Oneida County Sheriff's Office and members thereof. The right is reserved under law, Chapter 63, Stats, to amend or revoke any of the rules or to make additional ones from time to time as the circumstances or the good of the service may require.

Whenever the Sheriff, Chief Deputy, or Civil Service Commission believes that a deputy has violated any of these Rules and Regulations, such deputy may be disciplined, suspended, demoted, or dismissed in accordance with Wisconsin Statutes and the General Code of Oneida County, Wisconsin.

The word "member" as used in the provisions of the Office's rules and regulations shall be construed as meaning a person duly appointed as Deputy Sheriff pursuant to the Civil Service ordinance governing such appointments to the Oneida County Sheriff's Office.

## **RULES OF THE OFFICE**

### **RULE 1 - OFFICE WEAPONS**

The following rules govern Office issued firearms, and these shall be adhered to at all times:

- 1) No assigned firearm will be allowed to be lying about the offices, garage, or squad cars. When not in use all weapons shall be kept in assigned secure storage.
- 2) Deputy Sheriff's are not authorized to possess firearms of any type into the cellblock sections of the county jail. The exception to this rule is in the event of emergency. i.e. such as a hostage situation, an attempted escape, or riot.
- 3) Office members, while on duty, shall be armed with the Office approved service weapon and ammunition and a Office approved holster. The exception to this would be a Office member assigned in a special operation, who has received proper training from the range officer, and written approval has been received from the Chief Deputy or Sheriff.
- 4) Office members shall be responsible for reasonable care while handling any Office weapon or ammunition assigned to them. Any malfunction or insufficiency shall be reported to the Range Officer. Office members shall not attempt to repair, take apart, or remove any screws, from any Office owned weapon. Members are authorized to complete basic field stripping and cleaning that is performed under the direction of the range officer.
- 5) The Office-issued service weapon will be approved by the Sheriff.
- 6) Failure to comply with the Office weapon rule will be considered a violation of the rules and regulations governing the Office and violations shall be subject to disciplinary action.
- 7) Office members may be assigned to specialized duties that require the possession and use of special weapons. Office members are not authorized to utilize any specialized weapons until they have completed the required training in the use of these weapons.

### **RULE 2 - OFFICIAL UNIFORM OF THE OFFICE**

The Sheriff shall prescribe the type of official uniform of the Oneida County Sheriff's Office and direct his commanding personnel to enforce compliance thereto. The Sheriff, may adopt such rules governing the official appearance of Deputy Sheriff's while on duty to promote safety, uniformity and neatness. Members shall not possess any unauthorized equipment while on duty. The Office recognizes all items identified in the most current labor agreement as items authorized for official duty. Members of the Office are required to seek approval for the use of any other uniform, equipment, or attachment to the uniform that is not contained on this list or described in this regulation

The following rules governing uniforms and equipment shall be adhered to:

- 1) The color of the official uniform shall be brown and tan.
- 2) The official uniform shall consist of:
  - A) Brown winter jacket
  - B) Inclement Weather Safety Jacket
  - C) Class A Uniform (brown long & short sleeve, tan trousers, tan tie)
  - D) Class B Uniform (brown BDU long sleeve & short sleeve, brown BDU pants)
  - E) Special Duty Polo shirt
  - F) Special Duty shorts
  - G) Traffic safety vest
  - H) Fur cap, black knit hat, Stetson type trooper hat, or approved baseball style cap
  - I) Black turtleneck
  - J) Black shoes, oxfords or boots with black socks
  - K) Black belt w/pants, Sam Brown Belt w/accessories
  - L) Brown Sweater
  - M) Snowmobile Jacket and Bibs (available as needed)
  - N) Nameplates (shirt and jacket), whistle w/lanyard, collar brass, and shirt and jacket badge.
- 3) Members assigned to patrol in uniform duty will wear the uniform reasonably pressed and neat and clean at all times. Members assigned to patrol shall keep shoes, oxfords or boots, belts, holster and other leather equipment reasonably clean and polished at all times. Members shall not appear in public, whether on duty or off duty, in partial uniform. Members are not allowed to enter premises holding a Class B License in uniform, while off-duty.
- 4) Members shall report for duty in the prescribed uniform at all times. The Office recognizes the concept of Community Oriented Policing, and allows members to appear in public in uniform and properly equipped (as described below). At all times, when on duty and in uniform, members must be equipped with all issued equipment, including the following:
  - A) Fully functional service weapon, holster, 2 (two) extra magazines and ammunition.
  - B) Badge and nameplates displayed on shirt and jacket.
  - C) OC spray, Baton, Handcuffs and keys, Portable Radio, Office issued body armor.

Plain-Clothes On-Duty members must be equipped with:

  - A) Fully functional service weapon, ammunition and magazines.
  - B) Badge and official Office identification card (ID)
  - C) Handcuffs, Office body armor to be used consistent with the current policy and procedure.
- 5) Members assigned to civilian clothes shall be in such suitable attire as to present a conservative business like appearance. Exception to this would be Deputies that are assigned to undercover duties.
- 6) The assigned Captain will issue directive(s) prescribing the "Uniform of the Day" for

uniformed personnel, allowing for seasons, weather, special duties, and events.

- 7) Failure to comply with official uniform rule will be considered a violation of the rules and regulations governing the Office and violations may subject members to disciplinary action.

## **REGULATIONS OF THE OFFICE**

### **REGULATION 1**

Authority in the Office shall be exercised with firmness, understanding and justice. Superior officers shall maintain their subordinates when they can do so consistently and avoid, so far as circumstances warrant, censoring them in the presence of others. Superior officers are forbidden to injure or discredit those under their authority by oppressive conduct or abusive or demeaning language.

### **REGULATION 2**

Captains, Sergeants and Detective Sergeants coming in immediate and constant contact with the deputies shall familiarize themselves with all operations of the Office and are expected to set examples of sobriety, discipline, energy, activity, courtesy, moderation, accuracy, and dignity in the discharge of their official duties.

### **REGULATION 3**

It shall be the duty of all members of the Sheriff's Office to be thoroughly familiar with and adhere to such provisions of the rules and regulations of the Office which deal specifically and generally with the duties of their rank, grade and position. Members of the Office shall be held responsible for the proper performance of the duties assigned them and for strict adherence on their part to the rules and regulations adopted from time to time for the government of the Office.

### **REGULATION 4**

Members of the Office shall, at all times within the boundaries of the county, preserve the public peace, prevent crime, detect and arrest violators of the law, protect life and property.

### **REGULATION 5**

Members of the Office shall be held responsible for the proper performance of the duties assigned them and conform to and abide by the rules and regulations of the Office, observe the laws and ordinances enforced in the County of Oneida and render their services to the county with zeal, courage, discretion, and fidelity. In the event that a violation is alleged, the Office member shall be afforded an opportunity to provide an explanation of the circumstances surrounding the violations, prior to any disciplinary action being considered

## **REGULATION 6**

Members of the Office will have regular hours assigned to them for active duty each day, and when not so employed they shall be considered "off duty." They shall, however, be held to be always subject to duty although periodically relieved from the routine performance of it. They are always subject to orders from superior officers, and to call from civilians and the fact that they may be technically "off duty" shall not be held as relieving them of their responsibility of taking proper official action in any matter coming to their attention, at any time requiring such action, using their training and experience. Deputies will determine what action is appropriate.

In situations where injury or death is likely, the Deputy should take immediate action to prevent such injury or death if they can do so safely. In all other cases, the appropriate action would likely be to contact the appropriate authority.

## **REGULATION 7**

Members will not engage in any conduct that constitutes racial, ethnic, sexual orientation or gender harassment as herein defined. The term racial, ethnic, or gender harassment, within the context of Office employment, includes any action which may reasonably be interpreted as derogatory to a particular race, ethnicity, or gender and such conduct has the purpose or intent of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

## **REGULATION 8**

Members of the Office shall report any changes in address or residence telephone number to the Sheriff or Chief Deputy within 24 hours of the change.

## **REGULATION 9**

Members of the Office shall report to the Sheriff any change in their domestic status with reference to marriage, divorce or death of spouse.

## **REGULATION 10**

Members of the Office are required to discharge their duties while maintaining control, and in times of extreme peril, using their training, they shall act together and assist and protect each other for the restoration of peace and order. However, at times disengagement / de-escalation may be appropriate. Whoever shirks from danger or responsibility may be deemed guilty of gross neglect of duty.

## **REGULATION 11**

Members of the Office shall, when making arrests, traffic accident investigations, or any other enforcement action requiring joint effort and responsibility, act with complete assurance that

each will know all the facts concerning their official action. All members of the Office concerned in cases before the courts are to be punctual in attendance, and all shall appear in proper uniform, except those members who have been authorized to appear in appropriate business attire. They shall cooperate with the prosecutor to have the cases in which they are involved, properly prepared and the evidence to be used suitably arranged for presentation to the court. Members shall observe the utmost attention, courtesy, and respect toward the court, prosecutor, defense counsel and other witnesses at all times. When giving testimony, they shall provide accurate facts and speak calmly and explicitly in a clear, distinct and audible tone.- Members shall not appear as witnesses in civil matters arising from situations encountered in performance of their duties without being subpoenaed by legal process.

#### **REGULATION 12**

Upon the order of a supervisor or ranking officer, members shall truthfully answer all questions that are specifically related to the scope of employment and operations of the Office. Members are required to speak the truth at all times, when under oath and when making a public statement related to the Office. This regulation does not apply to members who are engaged in lawfully permitted law enforcement activities.

#### **REGULATION 13**

Property or evidence that has been discovered, gathered or received in connection with Official responsibilities will be processed in accordance with established Official procedures.

#### **REGULATION 14**

Members of the Office shall, when taking persons into custody, file a completed report in a timely fashion. Members shall, if a conflict or difference of opinion arises between deputies involved in any action, consult, without fail, the commanding officer in charge.

#### **REGULATION 15**

Courtesy and civility toward the public are demanded of all members of the Office, and any conduct to the contrary will not be tolerated. Members, in their conduct, shall be civil and orderly and shall at all times be attentive and zealous in the discharge of their duties, controlling their tempers and exercising the utmost patience and discretion. They must at all times refrain from using coarse, violent, profane, or insolent language, but when required must act with firmness and sufficient energy to perform their duties.

#### **REGULATION 16**

Members of the Office shall familiarize themselves with the statutes, laws and regulations enforced in the County of Oneida and of which the Sheriff's Office takes cognizance. Failure to take action respecting violations of such statutes, laws and regulations coming to their attention or about which they have knowledge will be deemed gross neglect of duty.

### **REGULATION 17**

Members of the Office while on duty must at all times be neat and clean in person and dress in conformity with the official uniform of the Office. Uniforms becoming soiled or disarranged should be put in proper condition as soon as circumstances permit. Equipment should be examined and cleaned as often as necessary to keep in good serviceable condition.

### **REGULATION 18**

Members of the Office shall not recommend to any prisoner the employment of any person as attorney or counsel, or suggest the name of any lawyer or person to a prisoner with a view to their defense at any time. Nor shall they either directly or indirectly interfere or interest themselves in any manner whatsoever, the employment of any attorneys to aid any victim of an accident or injury.

### **REGULATION 19**

Members of this Office shall not take part or be concerned, either directly or indirectly, in making or negotiating any compromise or arrangement for any criminal or person who has suffered by his act, with a view of permitting such criminal or other person to escape the penalty of the law, except as may be provided by law. Nor shall they seek to obtain any continuance of any trial in court out of friendship for the defendant or otherwise interfere with the courts of justice. Members having knowledge concerning such compromise or arrangement, and failure to inform their superior officer, is a violation.

### **REGULATION 20**

Members of the Office shall not publicly criticize the operations or personnel of the Office if such criticism clearly undermines the discipline, harmony or general efficiency of the Office. The Office recognizes that its members retain rights to expression of and freedom of speech granted by the Constitution, whether on or off-duty; however these rights do not allow for conduct which is disruptive to the function of the public's business. Generally, conduct prohibited by this regulation includes critical public statements or overt actions regarding specific employees, orders or operations, this includes abusive, frivolous or deliberately constructed false criticism of the Office or its members.

### **REGULATION 21**

Members of the Office shall not speak derogatorily to other members of the Office regarding orders or instructions issued by supervisors. If such orders or instructions are inconsistent or unfair, however, members have the right and duty to appeal to higher authority or to grieve the matter, as appropriate.

## **REGULATION 22**

Members of the Office shall not: Possess or use any controlled substance while on or off duty, except with the approval and guidance of a licensed physician; Report for duty under the influence of illegal drugs or alcohol to any degree or under the influence of any other drug that may cause impairment of the ability to perform their duties; Consume or possess alcoholic beverages of any kind while on duty except in the actual performance of duty; Be under the influence of alcohol, be unfit for duty due to the use of alcohol or have the odor of alcoholic beverage on their breath when reporting for or on duty; While off duty, consume alcoholic beverages while in official uniform or to the extent that their behavior would bring discredit upon themselves or the Office. (Refer to *Drug-Free Workplace*- Addendum 1)

## **REGULATION 23**

Members of the Office shall treat as confidential all official business of the Office. They shall not impart information to anyone except for those whom it is intended, or as directed by their commanding officer, or under due process of the law. They shall not make known to any persons, whether or not a member of the Office, any special order which they may receive, unless required by the nature of the order.

## **REGULATION 24**

Members of the Office shall communicate promptly to their immediate commanding supervisor all crimes, suicides, attempted suicides, fire, accidents, all important happenings, complaints, and information which the Office takes cognizance, which may come to their attention. The commanding supervisors shall use the established chain of command to notify the Sheriff of matters of major importance. No member may withhold "tips" or Office information with the view to personal achievement or for any other reason.

## **REGULATION 25**

The Sheriff, in the absence of the Sheriff, the Chief Deputy, or their designee, will impart current news to the press, providing the ends of justice are not thereby defeated. Members, while on duty, or off-duty and holding themselves out to represent the Office, shall not address public meetings, appear on radio or television, or release or divulge investigative information, without proper authority to represent the Office from the Sheriff or Chief Deputy.

## **REGULATION 26**

Members of the Office shall not act so as to exhibit disrespect for a supervisor. Supervisors shall not act as to exhibit disrespect for a subordinate employee. This includes making degrading comments about supervisors/subordinates or the mission, practices or policies of the Office. Members shall conduct themselves in such a manner that will foster cooperation among members of the Office; showing respect, courtesy, and professionalism in all their dealings with one another.

## **REGULATION 27**

Members shall promptly obey any lawful orders of a supervisor. This will include orders relayed from a ranking supervisor by an employee of the same or lesser rank. Members shall not obey any order which they know or should know would require them to commit any illegal act. If in doubt as the legality of an order, members shall request the issuing member to clarify the order or request to confer with a higher authority.

## **REGULATION 28**

Under no circumstances shall members of the Office make public statements for publication concerning the plans, policies or affairs of the administration of the Sheriff's Office, unless authorized to do so by the Sheriff or Chief Deputy. This regulation does not prevent employees from removing or copying official public records or public Official reports in accordance with established Office procedures

## **REGULATION 29**

Members of the Office shall not engage in political activity that will conflict with federal or state law. Members will limit political activity to off duty hours and will, in no case, use official authority or influence for the purpose of interfering with any election or nomination for office or affecting the outcome in any way.

## **REGULATION 30**

Members of the Office shall be punctual in reporting for duty at their scheduled shift start time. They shall be prepared for immediate duty upon getting instructions from the commanding officer in charge. Habitual failure to report promptly at the time directed will be deemed neglect of duty.

## **REGULATION 31**

Members of the Office shall not apply for any search warrant without the knowledge or approval of the Sheriff or Chief Deputy.

## **REGULATION 32**

Members of the Office shall be incompetent bail for any person arrested, other than for individuals who are in the Office members immediate family, shall in no case become bail for any person under arrest.

## **REGULATION 33**

When on duty, members of the Office shall give their proper names and badge numbers in a respectful manner to any persons who may request the same. Office members who are assigned

to properly authorized undercover activities may withhold their proper name and badge number for the performance of these law enforcement duties.

#### **REGULATION 34**

Unless authorized by the Sheriff, members of the Office are not to use any concealed audio/video recording devices while on duty, off-duty on Office property, or off-duty and in the their scope of employment. When authorized audio/video recordings are made, Office members are responsible to maintain these recordings under established Office evidence and/or public records procedures. This section does not prohibit members from exercising their statutory rights on matters that do not involve the Office or matters that are not related to the member's scope of employment.

#### **REGULATION 35**

Members of the Office shall be responsible for the proper care of all Office property. Members of the Office who have property assigned to them, for their use or keeping, will immediately report to their commanding officer the loss of, damage to or unserviceable condition of such property and return any issued property upon request. Members shall not abuse, negligently damage or negligently lose Official property.

#### **REGULATION 36**

Any member of the Office feeling aggrieved at the treatment or orders of a superior officer, or any member wishing to call attention to any matter of official business or neglect of duty or to make suggestions for the improvement of the service have the right and duty to communicate to the Captain, Chief Deputy, or Sheriff and set forth all relevant facts, or to grieve the matter as appropriate.

#### **REGULATION 37**

Whenever a complaint is made by a person, and this person has requested confidentiality pursuant to law, the Office member may not under any circumstances reveal the name of the confidential complainant to any person outside the Office. The exception to this would be under due process of law. Office members would be authorized to communicate the circumstance of the receipt of this information to the District Attorney for the review of the confidentiality under existing statute.

#### **REGULATION 38**

No member of the Office shall make, or knowingly cause to be made, false official reports.

### **REGULATION 39**

No Office vehicle shall be used by any member of the Office while off duty unless as authorized by the Sheriff or Chief Deputy. Employees shall not use their private vehicles or equipment for official purposes unless directed or authorized.

### **REGULATION 40**

Members of the Office shall as soon as practical report to their commanding officer any accident with any Office motor vehicle operated by them or in their charge. Prior to the completion of the duty shift, written reports shall be made by members involved in the accident, if medically capable. This report and notification shall be made through the established chain of command.

### **REGULATION 41**

Members of the Office who may have occasion to inquire as to the duties assigned to them shall seek such information through the established chain of command. Members shall not seek information related to their duties from any source outside of the Office, unless they are so authorized or directed. Office members are specifically authorized to discuss their assignments and duties when attending Office authorized training. This regulation also specifically recognizes a members' right to discuss their duties in matters related to collective bargaining.

### **REGULATION 42**

Sleeping while on active duty is prohibited. If unable to remain awake while on duty, they shall report to their supervisor, who shall determine the proper course of action.

### **REGULATION 43**

Invoices for expenses, necessarily incurred by members of the Office in connection with official duties shall be submitted promptly through the established chain of command.

### **REGULATION 44**

Whenever any member of the Office separates from employment with this Office, all property belonging to the Office shall be surrendered as directed to the Sheriff or Chief Deputy.

### **REGULATION 45**

As part of their assigned duties, Office members shall read the daily shift and briefing reports on each day that they report to work. If practical, these reports shall be read at the beginning of the shift.

#### **REGULATION 46**

Members of the Office, when using vehicles of the Office on their tour of duty shall check such vehicles to ascertain that the required equipment is available. Office members shall insure that such vehicle is in safe operating condition and any deficiencies in these vehicles shall be reported in writing.

#### **REGULATION 47**

Members of the Office shall not recommend doctors, lawyers or garages to the public. In auto accident investigations or assignments, no preference shall be given to a particular garage. Members shall ascertain the desires of the driver or owner and implement, if feasible. However, maintenance of traffic flow and public safety shall have priority.

#### **REGULATION 48**

Members of the Office conveying prisoners or violators to the county jail shall not leave the jail until the subject has been accepted as an inmate by the corrections officer(s). Office members shall assist the corrections officer with all examinations or other necessary duties that may be requested during the prisoner booking process.

#### **REGULATION 49**

Office members shall, when off duty in Oneida County, be alert to any situation that involves the risk of property damage or personal injury. The Office member should not delay in calling for assistance, giving all information relative to the situation and provide information as a witness to the incident, until the responding agency arrives. This rule is not to be construed as limiting an off duty officer's authority to take appropriate action.

#### **REGULATION 50**

Each member shall reside within Oneida County or within 15 miles of Oneida County jurisdictional boundaries, and the member shall establish such residence within ninety (90) days of such appointment. All members of the Office must be prepared to act immediately on notice that their services are required. The only deviations from this regulation shall be approved by the Oneida County Sheriff or his/her designee.

#### **REGULATION 51**

Members of the Office, prior to accepting or undertaking any employment, shall furnish the Sheriff or Chief Deputy a statement setting forth name of employer, self-employment, hours or employment, and type of work. No member may be engaged in any part-time employment that will interfere with his/her efficiency or availability for duty, nor the health, safety or welfare of the public.

## **REGULATION 52**

Office members shall not solicit contributions, collect or receive money, gratuities, property, or other things of value from the public for personal or official purposes, without the approval of the Sheriff or Chief Deputy. Any approved solicitation must be consistent with applicable state law. This shall not be construed to prohibit Office members from carrying out their lawful duties.

## **REGULATION 53**

No civil action, that is a result from an act within the Office member's scope of employment, may be initiated without first submitting a detailed report of the matter in writing to the Sheriff or Chief Deputy.

## **REGULATION 54**

Members of the Office are prohibited from knowingly joining or participating in any organization that advocates, initiates, or supports criminal acts or conspiracies.

## **REGULATION 55**

Members of the Office will not engage in any conduct that constitutes sexual harassment as herein defined. The term sexual harassment, within the context of Office employment includes any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

## **REGULATION 56**

Office members shall use all Information Technology Resources and equipment consistent with established Office procedure. Office members shall not use Information Technology Resources in such a manner that is illegal, would conflict with the Office's Policy and Procedures, or in a manner that would create a perception of impropriety for the law enforcement profession.

For purposes of this section, Information Technology Resources shall include, but not be limited, by delineation herein, to any computer, hardware, software, any other peripheral device, mobile laptop, cell phones, fax machines or any other communications device, under the control or direction of Oneida County or its agents.

Office members shall not install hardware or software, or otherwise modify Information Technology Resources unless authorized to do so or having obtained prior approval through the appropriate chain of command.

The Office recognizes that Office members may have a need to use Information Technology Resources for personal use. Personal use shall not be excessive or used to the extent where it may be considered as neglect of duty.

The Sheriff's Office reserves the right, as is reasonably necessary, to search, review, audit, intercept, or access Office member's information technology resources. Office members shall not have any expectation of privacy relative to the use of Office Information Technology Resources.

Unacceptable uses of information technology resources include, but are not limited by delineation to:

- a. Unauthorized use.
- b. Illegal use.
- c. Intentionally transmitting threatening, abusive, obscene, lewd, profane or harassing material or material which suggests any lewd or lascivious act, except during the course of an official investigation.
- d. Intentionally preventing or attempting to prevent the disclosure of the user's identity to frighten, intimidate, abuse or harass another person.
- e. Transmittals, which would constitute a violation of Office procedure relative to the release of information.
- f. Disruption of network services, e.g. distributing a computer virus.
- g. Interception or alteration of networks.
- h. Use of another's identity and password for access to information resources technology without proper authorization, except under exigent circumstances.
- i. Attempt to evade, disable or "crack" password or other system security provisions.
- j. Use in commercial ventures, personal gain, religious or political causes or other non-job related solicitations.
- k. Playing computer games while on duty.

### **CHARGES AND SUSPENSION**

Any member of the Oneida County Sheriff's Office may be disciplined, suspended, demoted or dismissed in accordance with Chapter 59.26(8)(b) of the Wisconsin Statutes when charged with any of the following offenses:

- a. Commission of a crime under any law.
- b. Intoxication or unauthorized drinking intoxicants on active duty.
- c. Insubordination.
- d. Willful neglect of duty.
- e. Willful neglect or disobedience of any order or Office rule.
- f. Absence from duty without leave.
- g. Conduct unbecoming an officer or detrimental to the service.
- h. General inefficiency and incompetence.

- i. Communicating information on criminal or civil investigations outside of the Office without permission.
- j. Making a false official statement or entry in official records.
- k. Willful mistreatment of a prisoner.
- l. Sleeping while on active duty.
- m. Uncleanliness in person or dress on active duty.
- n. Destructive criticism of Official orders to the outside public.
- o. Refusing to give identification when requested.
- p. Failure to report any Office member known to be engaged in criminal activities.
- q. Misuse or unauthorized use of Official equipment.
- r. Any other act or omission contrary to good order and discipline or constituting a violation of any of the provisions of the Rules and Regulations of the Office.

### **EFFICIENCY RECORDS**

A record will be kept in the Sheriff's office by the Civil Service Commission as to the efficiency and conduct of each member of the Office in accordance with the Rules and Regulations of the Oneida County Sheriff's Office. The Sheriff, Chief Deputy and Civil Service Commission will consult such records in considering promotions and discipline. Office members will be permitted to review their efficiency rating upon application. Office members who find they have low efficiency ratings may consult with their superiors to determine how their ratings may be improved

### **ADDENDUM 1**

#### ***DRUG FREE WORK PLACE POLICY***

Members of the Office shall adhere to the Drug Free Work Place policy as approved by the Oneida County Board by Resolution dated August 18th, 1992 with appendix A & B as it pertains to the ONEIDA COUNTY SHERIFF'S OFFICE and any amendment thereto, all of which are incorporated by reference as if fully set forth herein.

Revd 11-5-19