

## Survey to Chief APOs

### Issue: PO and Part Time employment as police officer

#### Question (from Elk County)

I have a full time Adult Probation/Parole Officer that is inquiring about part time employment as a police officer in the same county he is employed as a Probation Officer. I was wondering if any other county in PA has ever run into this situation and if it was permitted? If it was permitted, would they be willing to share their HR policy on this issue.

#### Allegheny County

Allegheny is the same as Butler County

#### Armstrong County

We have an officer in our department that is a part time police officer. The condition was that it not be in Armstrong County where there could be a conflict. She is employed part time in a surrounding county. We do not have a written policy on it, it was a decision made by our President Judge

#### Beaver County

We see it as a conflict of interest here in Beaver County. Any other secondary employment needs approved by myself and forwarded to court admin.

#### Bradford County

Does not allow this as we would view it as a conflict of interest.

#### Bucks County

Bucks County is similar to Philadelphia. Must be disclosed and approved. I have had officers work in security capacities (movie theater, concerts) but never police officer. That would be considered a conflict here.

#### Butler County

Butler County does not have a written policy, but the Court does not allow the probation officers to serve as police officers or security officers. They believe it's a conflict of interest.

#### Carbon County

Outside employment must get approved. As others have said it would seem to be a conflict.

#### Chester County

See #9. We added this in here after we had a support staff do an internship at a police department after work hours about 12 years ago. I ended up firing the employee due to breach of confidentiality. (see Chester addendum)

### Dauphin County

Outside employment must get approved. As others have said it would seem to be a conflict.

### Delaware County

Delco is similar to everyone else who has responded. This would not be permitted due to potential conflict. Additionally, any secondary employment has to be disclosed here in Delco and has to be approved.

### Erie County

It has come up in Erie with individuals that were hired and wanted to keep their previous part time police job. Our answer has always been that the role of peace officer and police officer conflict.

### Fayette County

No

### Lancaster County

Same with Lancaster. The outside employment must be approved. I've attached our Court's policy and request form. (See Lancaster addendum)

The problem/conflict is anything that puts a probation officer in a prosecutorial role/require the individual to file criminal charges.

### Lebanon County

Any outside employment in Lebanon County is approved only if it is not a conflict of interest to our positions. This would be viewed as a conflict.

### Luzerne County

Definitely a conflict of interest- you are a PO first and an officer of the Court. Never compromise your position. Any outside employment must be approved by the Director and information is forwarded to the Deputy Court Administrator for Court Human Resources.

### Philadelphia

the secondary employment has to be disclosed and approved to avoid potential conflicts.

### Schuylkill County

This is not permitted in Schuylkill and is looked at as a conflict of interest.

### Snyder County

I know of a Probation Officer that was a part time police officer but it had to be in a different county

### Somerset County

Will not allow. Conflict

### Susquehanna County

hasn't happened in Susquehanna, that said. peace officer status for adult PO's applies when they are "working", not when off. i see this as a non-issue. that would be my recommendation to my PJ if the issue did come up. making sure this officer isn't wearing two different hats could pose a problem, hence avoiding this situation has merit

### Warren County

Warren has had this happen previously and the PJ did not approve it due to the potential to create a conflict of interest.

### York County

I have had this situation come up a few times and have not approved it. I believe it has the potential to create a conflict of interest for the officer and the Courts.

## Addendum: Chester County Policy

### **CHAPTER 1: ADMINISTRATION/PERSONNEL**

#### **SUBJECT: CODE OF ETHICS AND EMPLOYEE CONDUCT**

**PURPOSE:** To establish, for all employees, of the Adult Probation Department, guidelines that cover behavior with the public, offenders and departmental staff.

**POLICY:** All employees of the Department must refrain from conduct that brings or has the potential to bring discredit to the department and the Court. Employees must refrain from using their position with the Department to directly or indirectly gain any personal advantage that is not normally provided by the employer/department. At all times employees of the Department shall maintain a relationship with offenders which is clearly within professional limits and avoids possible conflicts of interest.

Employees are to conduct themselves in a professional and principled manner inside and outside the department.

**PROCEDURE:** This policy requires the highest possible level of conduct from all employees and/or student interns, promotes the protection of the Department, and facilitates the recruitment and retention of the highest caliber employee. These standards shall be maintained by requiring compliance with the following conditions:

1. No employee of this department shall accept or provide any gift, service or favor from or to clients directly or indirectly; or accept or provide any gift, service or favor from or to others on the behalf of clients directly or indirectly.
2. No employee of this department shall enter, directly or indirectly, into any business relationships with a client .
3. No employee of this department shall engage in any personal relationship with clients or their relatives beyond that which is required to meet their professional responsibility. Employees shall disclose any pre-existing relationship to a Supervisor.
4. All employees of this department shall treat all clients equally and fairly. All employees are prohibited from harassment and discrimination of clients based on religion, national origin, gender, sexual orientation, disability or political views.
5. All employees of this department are prohibited from using their authority status to access confidential information for any purpose other than to discharge their professional responsibility.
6. All court appointed employees of the Department are prohibited from participating in partisan political activities.
7. All employees are to conduct themselves in a professional manner (beyond reproach) at all times when interacting with county employees, clients and members of the community.
8. Refrain from any act or conduct that may lead to a criminal conviction while an employee of the Adult Probation and Parole Department. Conviction shall be considered a violation of the code of ethics.
9. At no time is any employee of the Adult Probation and Parole Department permitted to be employed as a Police Officer, Constable or hold any position associated with Law Enforcement. This is a direct conflict of interest. If the employee is considering a position within the Law Enforcement community they are required to inform their Supervisor prior to pursuing a career in this field.

Every employee of the county is also under an obligation to follow the Code of Ethics for Chester County employees and disclose to their Department Head, or the County Commissioners any violations of the Code of Ethics either witnessed by that employee being committed by another employee or where the employee has received reasonably reliable information that a violation has occurred.

Employees are also required to follow the Code of Conduct for Employees of the Unified Judicial System.

The Supervisor of Staff Training shall include information and instruction regarding the Code of Ethics in all new employee orientation training. All supervisory personnel are to review the Code of Ethics on an annual basis with their assigned staff.

**PBPP STANDARDS:** 4-APPFS-3C-02 (3-3068, 3-3069), 4-APPFS-2G-01, 4-APPFS-3E-06

**Effective Date:** May 19, 2008

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**Review Date:** October 10, 2014

**Review Date:** September 15, 2015

**Review Date:** September 13, 2016

**Review Date:** November 22, 2016

**Review Date:** August 30, 2017

**Review Date:** January 22, 2019

**Review Date:** October 15, 2019

# Addendum: Lancaster County Outside Employment Policy

## ARTICLE B8

### OUTSIDE EMPLOYMENT - CONFLICT OF INTEREST

- Section B8.1 The purpose of this article is to set forth a Court policy to determine if a conflict of interest may exist due to outside employment.
- Section B8.2 This policy applies to all employees.
- Section B8.3 All court employees are expected to adhere to the outside employment provisions as outlined in Section VI F of the Code of Conduct for Employees of the Unified Judicial System. (See Appendix A1)
- Section B8.4 Employees shall inform the Department Director/Magisterial District Judge immediately in writing prior to employment of any prospective non-Court employment. The employee shall then complete and submit the "Permission to Hold Outside Employment" form to their Department Director/Magisterial District Judge. (See Appendix B8.4)
- Section B8.5 If the Department Director/Magisterial District Judge determines that the outside employment causes a conflict, he/she shall require the employee to cease such outside employment or face possible disciplinary action up to and including dismissal from Court employment.
- Upon such a determination, the employee may submit the "Permission to Hold Outside Employment" form to the District Court Administrator for further consideration. This article is not subject to the Grievance and Appeals Policy (See Article G2).
- Section B8.6 Employees who are found to be in violation of this policy shall be subject to disciplinary action up to and including dismissal.

COURT OF COMMON PLEAS OF LANCASTER COUNTY

Permission to Hold Outside Employment

Employee's Name: \_\_\_\_\_ Date: \_\_\_\_\_
(Last, First, M.I.)

I am hereby requesting approval to hold outside employment as described below:

Place of Employment: \_\_\_\_\_

Employment Address: \_\_\_\_\_

Employer's Telephone Number: \_\_\_\_\_

Job Title and Duties: \_\_\_\_\_

My signature affixed to this request indicates my understanding of Article B7 Outside Employment - Conflict of Interest, and Section VI F of the United Judicial System Code of Conduct regarding employees engaging in outside employment that does not interfere with or conflict with their official duties.

Signature of Employee: \_\_\_\_\_

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\_\_\_\_\_ Approved \_\_\_\_\_ Denied

(Signature of Supervisor/Department Director/ Magisterial District Judge) (Date)

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As my request has been denied, I am hereby requesting review by the District Court Administrator.

(Signature of Employee) (Date)

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Upon review, your request is:

\_\_\_\_\_ Approved \_\_\_\_\_ Denied

(Signature of District Court Administrator) (Date)