

<b>DOUGLAS COUNTY SHERIFF'S OFFICE</b>		<b>Policy and Procedure</b>
<b>Conduct</b>		<b>P&amp;P-C-104</b>
<b>Workplace Violence and Harassment</b>		
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References:	Reevaluation Date: Annually or as needed	Standards 26.1.3

**I. POLICY**

It is the policy of the Douglas County Sheriff's Office to provide employees with an environment free from harassment, direct or indirect threats, intimidation, and violence perpetrated by another employee.<26.1.3> Because of the nature of this organization, members may be exposed to such conditions perpetrated by persons outside the Office who may be encountered in the course of daily business.

**II. DEFINITIONS**

***Harassment***

The act of someone creating a hostile work environment through unwelcome words, acts, or physical contact.

Matters of appropriate discipline or corrective action taken by a supervisor are not considered harassment.

***Threat***

An expression of one's intent to cause harm. Threats include:

A. Direct

A direct threat involves a specific intention to harm an identified individual or individuals. Example: "I'm going to come to work tomorrow and kill Jim."

B. Conditional

A conditional threat has the word 'if' in the sentence. A conditional threat is intended to happen after a certain circumstance occurs. Example: "If they fire me, I will come back and get them."

C. Veiled

A veiled threat is a subtle threat. The person does not come right out and say that he is going to do harm but they allude to it. This can be a difficult threat to discern. Example: "They are pushing me so hard that I'm not sure what I'm capable of."

**III. HARASSMENT ISSUES IN THE WORKPLACE**

Members will not harass, embarrass, intimidate, provoke, or discriminate against members of the Office while on or off-duty. <26.1.3>

If the member is comfortable with doing so they should directly inform the person who is engaging in the harassing conduct that such conduct is offensive and must cease. If the conduct continues or the conduct is deemed by the effected member(s) to be serious, the member should report the incident to their direct supervisor. If the conduct involves the

reporting employee's immediate supervisor, they must report the incident to the next higher ranking supervisor or to the Internal Affairs Unit. <26.1.3>

Supervisory members will not tolerate, or participate in, any form of harassment or discrimination. Supervisory personnel failing to act upon a complaint shall be deemed in violation of this policy and subject to disciplinary action.

### **III. WEAPONS AT DEPARTMENTAL HEARINGS**

No employee who is the subject of a disciplinary or a pre-disciplinary hearing or other similar meeting shall be armed with a weapon before, during, or after such a hearing or meeting. This includes the location of the hearing or meeting and the grounds surrounding the location.

### **IV. WEAPONS AT DEPARTMENTAL INTERVIEWS**

At the discretion of the assigned investigator, a commissioned employee may be barred from being armed during an interview relating to any internal matter.

### **V. WEAPONS AT FACILITIES**

No employee who is a defendant in a criminal action, or is a party involved in a civil action involving domestic relations, child custody or support, or other similar actions involving the family unit, shall be armed with any weapon in or around any Sheriff's Office, court, social service agency, or other facility where such action is being heard/tried. This restriction is limited to the times immediately before and after the action is heard / tried, and during the meeting or hearing.

### **VI. WARNING SIGNS OF POTENTIALLY VIOLENT INDIVIDUALS**

#### **A. Early Intervention**

While it is the responsibility of supervisory personnel to address employees' work-related behavior, all employees must be responsible for recognizing a threat or potential threat and informing a supervisor of such a threat. Early intervention is important in assuring a safe and secure work environment, free of threats by other employees.

#### **B. Examples of Warning Signs**

There is no exact method to predict when a person will become violent. One or more of the following warning signs may be displayed before a person becomes violent, but they do not necessarily indicate that a person will become so. A display of these signs should trigger concern, as individuals experiencing problems usually exhibit them.

1. Irrational beliefs or ideas
2. Verbal, non-verbal, or written threats or intimidation
3. A fascination with weapons and/or acts of violence
4. Expressions of a plan to hurt himself or others
5. Externalization of blame
6. Unreciprocated romantic obsession
7. Inability to adapt to changes in marital status or custody changes
8. Taking up much of a supervisor's time with behavior or performance problems
9. Fear reaction among co-workers or clients

10. Drastic changes in the belief system
11. Displays of unwarranted anger
12. New or increased source of stress at home or work
13. Inability to take criticism
14. Feelings of being victimized
15. Intoxication from alcohol or other substances
16. Expressions of hopelessness or heightened anxiety
17. Productivity and/or attendance problems
18. Violence toward inanimate objects
19. Stealing or sabotaging projects or equipment
20. Lack of concern for the safety of others
21. Increase in traffic accidents and/or erratic driving

**VII. PROSECUTION OF ACTS OF VIOLENCE**

Threats, threatening behavior, or acts of violence against employees, visitors, guests, or other individuals by anyone on Sheriff's Office grounds will not be tolerated. Violators will be prosecuted and/or disciplined, which may include dismissal.

**VIII. IMMEDIATE RESPONSE TO VIOLENT ACTIONS**

Any person who makes substantial threats, exhibits threatening behavior, or engages in violent acts on Sheriff's Office grounds shall be removed from the premises as quickly as safety permits, and shall remain off Sheriff's Office grounds pending the outcome of an investigation. The Sheriff's Office will initiate an appropriate response. This response may include, but is not limited to, suspension and/or termination of employment, reassignment of job duties, and/or criminal prosecution of the person(s) involved.

**IX. PREVENTING A THREAT**

No existing Douglas County Sheriff's Office policy, practice, or procedure should be interpreted to prohibit decisions designed to prevent a threat from being carried out, a violent act from occurring, or a life-threatening situation from developing.

**X. REPORTING ISSUES OF WORKPLACE VIOLENCE**

All employees shall immediately report any threats or acts of violence to a supervisor. This is especially important when another member of the Sheriff's Office makes the threat or act of violence. Even without an actual threat, personnel shall report any behavior they have witnessed which they regard as threatening or violent, when that behavior is job related or might be carried out on a Sheriff's Office controlled site, or is connected to their employment with the Sheriff's Office. Employees are responsible for making this report regardless of the relationship between the individual who initiated the threat or threatening behavior and the person(s) who were threatened or were the focus of the threatening behavior.

**XI. PROTECTION ORDERS**

All individuals who apply for, or obtain, a protective or restraining order which lists Sheriff's Office property or locations as protected areas must provide the appropriate division captain with a copy of the petitions and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent.

- A. In the event a restraining order is issued, whether temporary or permanent, the Sheriff's Office is under no obligation to accommodate the restrained employee. An order that prohibits the restrained employee and the petitioning employee from being in the same location/vicinity will not be knowingly violated by any Sheriff's personnel. Employees assigned to the same division or facility will not be placed into such a position that they may be in violation simply by reporting for duty. The Sheriff's Office will use its own discretion in re-assignment of the restrained employee. Unless placed on administrative leave, the restrained employee may only be paid by using vacation and/or compensatory time, unless the use of sick leave is appropriate.
- B. If the restraining order prohibits the carrying of a firearm or other weapons, the Sheriff's Office is under no obligation to accommodate any member by allowing them to carry a weapon while performing their job assignment, even if that assignment requires it as part of their essential functions.

**XII. ACTING IN A COMMISSIONED CAPACITY**

This policy does not apply to any commissioned personnel of the Office acting as a commissioned peace officer, unless such commissioned peace officer is a party in an action as described above.

**XIII. INTERDEPARTMENT RELATIONSHIPS**

It is recognized that romantic relationships may develop between employees and that those relationships may have difficulties. When such difficulties become known, supervisors of the involved employees must monitor the situation for the sole purpose of attempting to prevent incidents of violence.

**XIV. WORKPLACE DISPUTES**

Though a dispute in the work place may be between friends or relatives, criminal acts must be treated as criminal. Victim employees will be strongly encouraged to pursue criminal charges, and no employee shall lessen the severity of any charges because of a personal relationship with the offender.

**XV. CARE OF VICTIMS**

The needs of the victim in any case will always be a priority when investigating workplace violence crimes.

**XVI. RISK ASSESSMENT**

When a threat has been made, it must initially be treated as real. Sheriff's Office resources will be consulted to determine the level of risk posed by the threat maker.

**XVII. NOTIFICATION OF POTENTIAL THREAT**

Supervisors who work in an area where problems may occur should be notified of the potential threat.

## **XVIII. VICTIM(S) WARNED OF THREAT**

Once the threat has been evaluated, the potential victim(s) may be warned. The decision not to warn is a serious one, not to be taken lightly. Any evidence to support not notifying must be weighed against the potential victim's right to know about the threat. Though the work place threat may not be real, the threat away from work could be.

## **XIX. SECURITY / PROPER IDENTIFICATION**

All employees must be alert to what is occurring in their areas. Unrecognized or unauthorized persons in an area must not be allowed to move about freely and unchallenged. No person shall be permitted to move about any Sheriff's Office facility without an identification tag clearly displayed. The wearing of a badge is not an acceptable alternative.

## **XX. AWARENESS OF SITUATIONS / INDIVIDUALS**

- A. One of the primary dangers in dealing with employees is the failure of other employees to recognize or accurately assess potential problems. An employee who is prone to venting might not be recognized as a threat because the employees who hear the venting might not perceive what is actually being said.
- B. Not all work place violence problems stem from employees. Former employees and outsiders can be as much of a threat, especially in a public or semi-public building. Each provides a unique type of threat.
- C. While former employees may be recognized as a threat, they are also aware of the routine of activity in and around a building where they formerly worked. In addition, they know the layout of the building(s).
- D. Outsiders are generally not familiar with most buildings, but they are usually not recognized as a threat. It is only when such a person displays a weapon, or makes some other overt act, that the threat becomes apparent.

## **XXI. AWARENESS OF TERMINATION SITUATIONS**

In the event of a termination of employment, the relevant details should be considered to determine if security of Sheriff's Office facilities should be increased. This can also be considered in cases pending investigation where a potential for violence exists.

## **XXII. COMPLETION OF INCIDENT REPORT**

When an incident occurs involving the use, or threatened use, of violence in the work place, the victim(s), witness(es), and supervisor(s) will complete the appropriate report as soon as possible. This report will be reviewed by Internal Affairs to assess the situation and the danger to employees, and to decide upon an appropriate course of action.

## **XXIII. INTERNAL AFFAIRS REPORT INFORMATION**

The following information must be included in the report, if known:

- A. The name of the threat-maker, and his relationship to the Sheriff's Office and/or the recipient of the threat.

- B. The names of any victims, witnesses and potential witnesses.
- C. The date, time and location of the incident.
- D. The activities of each person involved immediately prior to the incident.
- E. The specific wording of the threat.
- F. Description of any physical actions that might substantiate an intention to follow through with the threat.
- G. Description of the threat-maker's appearance (physical, emotional).
- H. List any other persons, including supervisors, involved, along with their involvement.
- I. How the incident ended.
- J. What happened to the threat-maker after the incident.
- K. What events, past or present, may have triggered the incident.
- L. What steps have been/are being taken to prevent the threat(s) from being carried out.
- M. How could this incident have been prevented, now and in the future.

#### **XXIV. POST-INCIDENT MANAGEMENT**

##### **A. Supporting Employees**

Helping employees deal with the post-incident consequences of a work place violence incident is the proper thing to do. All personnel are encouraged to support such victims, giving them the understanding and compassion they need and deserve.

##### **B. Debriefing**

In the event of a work place violence incident involving Sheriff's Office personnel, a debriefing on the incident will be held within 48 hours after the incident, and all affected employees should be included. The debriefing should include discussions of the cause of the violence, employee expectations, and a plan of action regarding the incident. Employees needing further assistance must be made aware that such assistance is available to them. A second debriefing should be held for the immediate co-workers regarding the incident, and on how to communicate with the victim(s) upon returning to work.

##### **C. Support of Victims**

It must be made clear to all personnel, and especially to the victim, that the victim has the support and backing of the Douglas County Sheriff's Office. Personnel must know that the Sheriff's Office does not condone violence against employees, especially by other employees. Victims must also know that the Sheriff's Office supports them in all decisions they make regarding prosecution of the threat-maker.

## **XXV. POST-INCIDENT EVALUATION**

Should an incident of workplace threats or violence occur, the Sheriff's Office will conduct a post-incident evaluation to discuss what occurred before, during, and after the incident. Any and all opportunities to prevent a re-occurrence must be considered.

## **XXVI. POST SEPARATION INCIDENTS**

An incident of workplace violence may occur after the perpetrator's employment has ended. Many times, employees have left employment unwillingly, such as through termination, disputed disability or inability to work, or another negative condition. Though there may have been no violence issue at the time of separation, a later incident that significantly affects the former employee could be the trigger that begins a turn to violence. Among these significant incidents are changes in health, changes in marital or family status, a lack of success in appeal hearings or court cases, and many more. The key factor to consider is whether the incident significantly affects the perpetrator.

By Order of the Sheriff