

# Reporting of Employee Arrests, Law Violations, Citations, Convictions, Court Orders, and Non-Routine Law Enforcement Contact

## 321.1 PURPOSE AND SCOPE

Convictions of certain offenses may restrict or prohibit an employee's ability to properly perform official duties. Therefore, all employees shall be required to notify the department of any arrest, law violation, citation, booking, mandatory firearm relinquishment, non-routine law enforcement contact (Section 321.4), or conviction pursuant to the provisions of this policy. This policy applies to all employees.

## 321.2 AUTHORITY AND REFERENCES

- 18 United States Code § 922;
- Penal Code § 29805; and,
- Government Code § 1029.

## 321.3 CRIMINAL CONVICTIONS, COURT ORDERS, AND OUTSTANDING WARRANTS

Conviction of either a felony, any offense involving moral turpitude, or any offense in connection with or affecting the employee's duties other than traffic violations shall be good cause for disciplinary action, up to and including termination.

California and federal law prohibit individuals convicted of, or having an outstanding warrant for, certain offenses, and individuals subject to certain court orders, from lawfully possessing a firearm. As such, all employees shall promptly notify their supervisor if they become the subject of any restraining order which requires a firearm relinquishment, or any outstanding criminal warrant. Notification to the immediate supervisor shall occur as indicated in section 321.5 of this policy.

## 321.4 NON-ROUTINE LAW ENFORCEMENT CONTACT

Any employee shall promptly notify their supervisor who knowingly becomes a subject of a criminal investigation or enforcement action by any law enforcement agency, or is detained or arrested by a law enforcement agency. This obligation does not pertain to contacts only or to traffic infractions as defined in the Vehicle Code. Notification to a supervisor shall occur as indicated in section 321.5 of this policy.

## 321.5 REPORTING PROCEDURE

All employees of this department shall promptly notify a supervisor of any arrest, booking, citation or conviction of a law violation other than a traffic infraction. Further, all employees shall promptly notify a supervisor if they become the subject of any restraining order requiring a firearm

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## Policy Manual

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relinquishment, any outstanding criminal warrant, or if they engage in non-routine law enforcement contact as described in section 321.4 of this policy. Such notifications shall occur within 48 hours after the occurrence or immediately upon returning to work, whichever is sooner.

Any employee with a criminal conviction or court order that unduly restricts or prohibits them from fully and properly performing their duties may be subject to discipline including, but not limited to, dismissal, demotion, reduction in compensation, suspension or any other action taken for disciplinary reason deemed appropriate by the Chief Probation Officer. Any effort to remove such disqualification or restriction shall remain entirely the responsibility of the employee on their own time and expense.

Any employee failing to provide prompt notice pursuant to this policy shall be subject to discipline, up to and including termination.

#### 321.5.1 CHAIN OF COMMAND NOTIFICATION

Any supervisor receiving a notification as described in this policy shall promptly forward the notification up the chain of command.

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