

Pennington County Sheriff's Office



Global Policies

For restricted and public access

Revised July 24, 2024

The Pennington County Sheriff's Office Global Policy Manual is a general guide to your employment. The policies and information in this manual are not condition of employment. Employment with the Pennington County Sheriff's Office is voluntarily entered into, and the employee is free to resign at any time, with or without cause. Similarly, the Pennington County Sheriff's Office may terminate the employment relationship at will at any time, without or without cause or notice, so long as there is no violation of applicable federal or state law.

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GP 1-10: Public Information and Media Relations

Chapter: Sheriff's Office Administration and Procedures

Order No: 200-01

Effective: 08-01-2000

Revised: 02-02-2016

Approved by: Sheriff Kevin Thom

Reference:

Classification: Public

I. Policy

- A. It is the policy of the Pennington County Sheriff's Office to maintain appropriate and timely communication with the public regarding routine operations and emergent situations. The Sheriff is committed to balancing the public's safety and awareness with the privacy and respect for victims, detainees, and clients.

II. Definitions

- A. **Media:** A local, regional, or national agency or company whose intent is to gain information for purposes of passing information on to the public. Any legitimate member of the media must be able to produce proper identification upon request. Such identification includes a name, photo identification card, and name of press organization with which associated.

III. General Information

- A. It is necessary that there be full disclosure of objectives and policies in matters of public interest. The Sheriff's Office is to disseminate accurate and factual accounts of occurrences pertaining to the public interest while protecting the legal rights of involved individuals and maintaining the confidentiality of department records and of other primary department responsibilities.
- B. Each incident must be considered in light of its particular circumstances. It is necessary to consider whether the release of information will hamper an investigation, unnecessarily embarrass or jeopardize an innocent person, or promote pretrial prejudice to the extent that a fair trial becomes difficult or impossible. These concerns are weighed against the public's need and right to be informed.

IV. Procedural Guidelines

A. Public Information Officer Function

1. The responsibility of the designated Public Information Officer is to govern the activities of members of the news media at the scene of a crime or other event under the control of Sheriff's Office personnel.
2. When the designated Public Information Officer is notified, he or she may:

- a. Respond to the scene of the event or, when necessary or practical, respond to the Sheriff's Office to take charge of disseminating information to the news media
 - b. Make notifications to the various mass media or request the Emergency Services Communications Center for assistance in making such notifications
 - c. Assume responsibility for completion of the special report and, where applicable, consult the Emergency Management Director
3. In the absence of the Public Information Officer, this responsibility lies with the supervisor of the scene.
 4. In major case investigations where time and circumstances permit, the release of information to the media is coordinated with the lead investigator assigned to the case or a Criminal Investigation Unit supervisor.

B. News Media Access

1. Employees shall not interfere with the lawful activities of the news media.
2. The news media shall not be allowed access to any information or physical location where doing so would compromise evidence, safety, security, privacy, or respect for victims, detainees, or clients. In special circumstances, access may be authorized to facilitate media coverage.
3. Should difficulties arise regarding media access, the Public Information Officer, Sheriff, or Chief Deputy will be informed immediately. Any related incidents shall be documented.
4. During an emergent situation, a media area will be established at a suitable location.

C. Information Release Authority

1. The Public Information Officer will be available during daytime working hours to respond to media inquiries. When he or she is not available, the following shall apply:
 - a. The on-duty shift supervisor or designee will assist news personnel with inquiries of an immediate, on-scene nature.
 - b. The appropriate unit supervisor or designee will release information from agency files.
 - c. Media requests of a non-immediate nature will be deferred until the Public Information Officer returns.
2. News media questions regarding ongoing investigations will be handled by the Chief Deputy or Law Enforcement Captain in conjunction with the Investigation

Unit Supervisor or his designee and the States Attorney's Office where appropriate.

3. When contacted in person by a member of the news media, Sheriff's Office personnel may ask for proper credentials prior to releasing any information. In cases where a member of the news media requests information over the telephone, Sheriff's Office personnel may establish the identity of the caller by calling the person at his or her agency.
4. Copies of law enforcement reports will be given to members of the media only in accordance with SDCL 1-27-1.5.
5. News media interviews of subjects in custody are not granted without first obtaining permission from the court and prosecuting. See PCJ 340.05 for inmate access to media procedures and JSC 8.40 for juvenile inmate access to media procedures.
6. Sheriff's Office personnel may not prevent brief comments by arrestees to reporters while in public places such as the arrest scene, in the jail lobby, etc. However, personnel will not arrange any access to the subject by the media.

D. Press Release Procedures

1. Press releases are prepared and disseminated by the Public Information Officer, Sheriff, Chief Deputy, or a specifically named designee.
2. Prior to dissemination, press releases are reviewed for content by the Sheriff or Chief Deputy.
3. Dissemination may include posting on the Sheriff's Office website, official Sheriff's Office social media accounts, or other publicly accessible websites.
4. Information contained within a press release is governed by the circumstances and discretion of the Sheriff or Chief Deputy.
5. Copies of all formal press releases are maintained on file for at least one year by the Sheriff's Administrative Coordinator.

E. Release of On-Going Investigation Information

1. The following procedures apply to the release of information to the news media from the time a person or action becomes the subject of an incident or investigation and until any proceeding resulting from such incident or investigation is terminated by trial or other disposition.
2. Disclosure shall only include factual matters.
3. Personnel of the office, subject to specific limitations by law or by court order, may make public the following information:

- a. An arrestee's name, age, sex, race or nationality, residence, usual occupation and marital status.
 - b. The substance, text, and source of the charge for which the arrestee is being held.
 - c. The identity of investigating or arresting officers and the length or scope of an investigation.
 - d. The circumstances immediately surrounding an arrest, including time and place of arrest, resistance, pursuit, possession and use of weapons and a description of physical items seized at the time of the arrest (without relating their possible evidentiary value).
 - e. The arrestee's local criminal history.
4. When background material or information relating to the circumstances of an arrest or investigation would jeopardize that case, the information shall not be released.
 5. Disclosures shall not include subjective observations.
 6. Information that may tend to create an atmosphere of prejudice, without serving a significant public information function shall not be released.
 7. The following types of information shall not be released:
 - a. Observations concerning an arrestee's character.
 - b. Statements, admissions, confessions, or alibis attributable to an arrestee, or the refusal or failure of the accused to make a statement.
 - c. Information regarding the performance of any tests or examinations or the arrestee's refusal or failure to submit to any such examination or test, except blood test results taken at the time of arrest.
 - d. Statements concerning the identity, address, testimony or credibility of any prospective witnesses.
 - e. The name and location of the arrestee's employment.
 - 1) Exception: If the location is the same as that of the crime or arrest, the information may be released.
 - f. Any opinion as to the guilt of the accused or the possibility of a plea or plea negotiations.
 - g. Any information concerning an arrestee's prior criminal record except arrests occurring in Pennington County.

- h. The name or address of any victim of a sex offense. The age and sex of the victim may be released along with an indication of the general area where the offense occurred.
 - i. The identifications of any person under the age of eighteen who is the suspect in any investigation or has been taken into custody. It is sufficient to release the age and sex of the person. Ordinarily this policy will pertain to anyone under the age of eighteen who is a complainant or a victim of a crime.
 - j. Information pertaining to the victim in death investigations, until investigating agents has been authorized by the County Coroner's office to make a release.
 - 1) Arrival on scene and pronouncement of death by the Coroner does not constitute authority.
 - 2) Prior to the receipt of authorization, all requests for information will be referred to the Coroner's office.
 - k. Any information concerning a personnel investigation without the express authorization of the Sheriff.
 - l. News media interviews of subject in custody shall not be granted without the express authorization of the Prosecuting Attorney and/or the court.
 - m. Personnel of this office shall not provide photographs of subjects in custody to the news media.
 - n. The news media shall not be allowed to photograph subjects in custody, excepting in public access areas. Under no circumstances will subjects be postured for media photographing.
 - o. This statement of procedure is not intended to restrict the release of information concerning a defendant who is a fugitive of justice when such information may be necessary to enlist public assistance in apprehending such a fugitive.
 - p. Any time a representative of the news media is denied access to certain information as outlined above, he shall be given a courteous explanation of the reasons for the denial and referred to the Sheriff's Office.
8. Once a case has been accepted for filing with the States Attorney, media requests on that case, except for the basic facts, will be referred to the appropriate prosecuting attorney, who may, at his discretion, authorize the office to release the information.
9. Press releases will be made on occurrences deemed appropriate by supervisory personnel involved, or when requested by the media.

10. Press releases will be available equally to all media outlets.

F. Information Release on Joint Operations

1. Whenever an agency other than the Pennington County Sheriff's Office (i.e., Rapid City Police Department, FBI, Rapid City Fire Department arson investigator, etc.) initiates an activity within Pennington County, regardless of the degree of office assistance that outside agency is responsible for releasing information about its activity to the news media.
2. Whenever the Pennington County Sheriff's Office initiates an activity in another jurisdiction, the appropriate member of the Office is, after advising any other involved agency, responsible for releasing information about that activity to the news media.
3. In a situation where multiple jurisdictions or agencies are present (such as police and fire), responsible persons representing such agencies shall be consulted as to a plan for coordinating the activities of the news media. Members of the media are referred accordingly.
4. In death investigations within Pennington County involving the offices of the Coroner and States Attorney, the primary responsibility for the release of information to the news media lies with this office, subject to prior notification of relatives by the coroner.

GP 1-20: Staff Legal Counsel

Chapter: Sheriff's Office Administration and Procedures

Order No: 2012-10

Effective: 08-09-2012

Revised: 10-25-2023

Approved by: Sheriff Brian Mueller

Reference:

Classification: Public

I. Policy

- A. It is the policy of the Pennington County Sheriff's Office to provide its staff with legal advice and assistance when there is notice of legal action related to the course and scope of employment so long as the conduct of the staff member was within the guidelines set forth by policy and procedure.

II. Definitions

- A. None

III. General Information

- A. Where possible, the Pennington County State's Attorney Office will provide advice relating to statutory and court requirements that affect established policies and procedures and provide representation before courts or regulatory bodies.
- B. In the event the Pennington County State's Attorney Office is unable or inappropriate for this purpose, alternative legal representation will be provided to the employee.

IV. Procedural Guidelines

- A. Any employee who receives notice of legal action in relation to the job is to notify the Director or Commander immediately. All such information will be conveyed to the Sheriff and Chief Deputy.
- B. If substantial evidence indicates the employee's conduct was negligent, illegal, or outside the scope of expressed authority, legal representation may be denied.
- C. If an employee is denied legal representation, a written reason for that decision will be provided to the employee.
- D. The employee may, at the employee's own expense, seek legal counsel.

GP 1-30: Annual Goals

Chapter: Sheriff's Office Administration and Procedures

Order No: 2012-11

Effective: 11-29-2012

Revised: 03-11-2024

Approved by: Sheriff Brian Mueller

Reference:

Classification: Public

I. Policy

- A. Each division and section will identify in writing the goals and objectives targeted for the coming year. Goals will be measurable and time frames will be identified for each year.

II. Definitions

- A. N/A

III. General Information

- A. Formal and informal input from personnel of any level can be used to create goals.

IV. Procedural Guidelines

- A. Any pertinent comments concerning the setting of goals for the upcoming year should be sent through the chain of command, to the Division Commander, Director or Section Leader.
- B. The Division Commander, Director, or Section Leader will establish a group of personnel to develop goals that will provide guidance and purpose.
- C. Each division should have their annual goals and objectives finalized and ready to post in February of each year.
- D. Goals and objectives will be distributed through email and through discussion with the various work groups once approved by the Sheriff.
- E. Prior to the end of the year, the Division Commander, Director, or Section Leader will provide a report and conduct a briefing to the Sheriff summarizing the progress on each goal and objective.

GP 1-40: Occupational Exposure to Infectious Disease and Post Exposure Prophylaxis

Chapter: Sheriff's Office Administration and Procedures

Order No: 2021-02

Effective: 08-08-2008

Revised: 12-21-2023

Approved by: Sheriff Brian Mueller

Reference:

Classification: Public

I. Policy

- A. The Pennington County Sheriff's Office (PCSO) provides a process for antiviral chemoprophylaxis for employees occupationally exposed to Viral Hepatitis or HIV. It is the purpose of this policy to protect PCSO Personnel from communicable diseases during the performance of their duties.

II. Definitions

- A. **Infectious Disease:** An illness that is transmitted to others.
- B. **Viral Hepatitis:** Liver inflammation due to a viral infection.
- C. **Human Immunodeficiency Virus:** A lentivirus that causes auto immunodeficiency syndrome.
- D. **Body fluids:** Any fluids secreted by the body including, but not limited to: blood, semen, saliva, urine, feces, etc.
- E. **Significant Exposure:** Includes
 1. A needle stick (by contaminated syringe), or any laceration, or puncture by an exposed instrument or object contaminated with bodily fluids,
 2. The handling of bloody or wet item, where scratches, cuts or open sores are noticed in the area of contact,
 3. Blood coming into contact with the employee's mouth, eyes, open sore or human bite.

III. General Information

- A. In keeping with the Public Health Service recommendations, combination antiviral chemoprophylaxis may be recommended, offered, or discouraged based on the severity of the occupational exposure incident, as outlined in this policy.
- B. Infectious disease testing is available to all employees through Community Health, South Dakota Department of Health, or their primary physician.

- C. Employees occupationally exposed will be offered counseling on the risks based on the severity of the reported occupational exposures incident to assist in determining treatment recommendations. Counseling for a confirmed exposure will be done by the physician.
- D. Employees exposed to another's bodily fluids in the course of work-related duties are encouraged to report the incident to their supervisor and file a workers' compensation first report of injury. This affords the employee the option for current or future treatment. Should the incident not rise to the definition of 'significant' exposure, the employee shall still have the option to seek treatment and follow the instructions of the treating physician to include request for source testing.

IV. Procedural Guidelines

A. Post-Exposure Procedural Guidelines

1. After a 'significant exposure' to a person's blood or bodily fluids, the employee must follow the below steps:
 - a. Wash or rinse the site of the exposure.
 - b. Notify your supervisor *immediately*.
 - 1) The employee's supervisor will refer the employee to either the Emergency Department at Monument Health or an Urgent Care Center in the area depending on time of day and severity of injury.
 - 2) The employee's supervisor will notify their chain of command of the possible exposure incident.
 - c. While at the medical facility, employees will need to discuss with the attending physician continuation of treatment and follow-up care. Employees need to schedule and follow appointments as directed.
 - d. Complete the Worker's Compensation paperwork packet to include any necessary incident reports. Complete this paperwork in compliance with current Workers Compensation policy.

B. Following a significant exposure, on-duty supervisors should take the necessary steps to obtain permission to test the source for communicable diseases.

1. Single Use Diagnostic System (SUDS) test should be done on the source patient's blood unless the patient is known to the Viral Hepatitis / HIV positive in which case a SUDS test is not necessary.
2. When necessary, the source subject's draw shall be taken to either the Emergency Department at Monument Health or an Urgent Care in the area for testing.

3. The specimen should be labeled properly and if the source is not a current or former patient, a copy of their demographic information will need to accompany the specimen.
4. Once the source's communicable disease status is available the treating physician will share that information with the exposed individual.
5. If the source refuses or is unable to be located for testing, a warrant may be sought for the sample if requested by the treating physician.
6. If unable to obtain a sample for testing, all employees will be treated as if the source is infected by the treating physician.

C. Billing for Medical Care Provided

1. Exposure and injury sustained as a result of work-related activity will be billed to Claims Associates in accordance with South Dakota worker's compensation law. See Global Policy 4-10 for procedural process.

GP 1-50: Electronic Signature Use

Chapter: Sheriff's Office Administration and Procedures

Order No: 2015-06

Effective: 01-11-2015

Revised: 10-25-2023

Approved by: Sheriff Brian Mueller

Reference:

Classification: Public

I. Policy

- A. This policy establishes when an electronic signature may replace a written signature and when a substitute user may place a stored electronic signature on a legally binding document.

II. Definitions

- A. **Electronic Signature:** An electronic script generated by the person who executed or adopts the attached electronic record. The electronic signature may be stored or generated as needed.
- B. **Substitute User:** An employee who with written consent can use another's stored electronic signature on a legally binding document.

III. General Information

- A. Where there is legal requirement or requirement for a responsible person's signature, that requirement is met when an electronic record has been associated with an electronic signature using an approved method.
- B. All electronic signature applications must be approved by the Sheriff or designee.

IV. Procedural Guidelines

- A. Electronic Signature Use
 - 1. Electronic signatures may be used to accommodate the records management system and allow for efficient, paperless operations.
 - 2. The electronic signature format will comply with any law or rule required to make the electronic record valid.
- B. Substitute Electronic Signature Use

1. Processes requiring the use of a stored electronic signature out of business necessity will follow the below approval and use procedures.
 - a. The employee's electronic signature is obtained and stored for use in our records management system.
 - b. The employee, who is substituting the stored signature of another, must have written permission from the electronic signature owner and it must be approved by the Sheriff or Designee.
 - 1) The written approval form will specify the necessary substitute use and be placed in both employees' personnel file.

C. Unauthorized Substitute Use

1. Employees who use another's electronic signature for any use without written consent of that individual will be subject to disciplinary action as detailed in Global Policy 3-60.

GP 1-70: Employee Grievance Procedures

Chapter: Sheriff's Office Administration and Procedures

Order No: 2015-07

Effective: 12-18-2015

Revised: 02-21-2024

Approved by: Sheriff Brian Mueller

Reference:

Classification: Public

I. Policy

- A. This policy specifies the formal procedure to allow employees to resolve their grievances with management in a fair and expeditious manner. This policy will not be construed as limiting the right of any employee having a grievance to discuss the manner informally with the Sheriff, any employee of the office, or their immediate supervisor. The procedure typically follows informal attempts to resolve differences.

II. Definitions

- A. N/A

III. General Information

- A. Employees are encouraged to resolve grievances at the lowest supervisory level appropriate. They may, however, take concerns or grievances to the level they believe will most efficiently resolve the issue, including directly to the Sheriff. Employees may select a co-worker to attend as a support representative when filing a grievance.
- B. Grievances will be documented, retained and reviewed to address patterns identified in the organization. Only those directly involved or have a need to know will be granted access to grievance records.

IV. Procedural Guidelines

A. Filing a Grievance

1. Employees shall file their grievance with the appropriate supervisor in writing, within five working days of the incident or knowledge there is an issue to be grieved.
2. The written grievance should include a statement of the grievance, facts it is based upon and the remedy or adjustment sought, if any.
3. Employees who voluntarily terminate their employment will have their grievances immediately withdrawn, except grievances concerning wage and benefits and will not benefit from any later settlement form any individual or

group grievance. Nothing in this policy prevents a former employee from seeking recourse under Federal or State law.

B. Responding to a Grievance

1. Supervisors receiving the initial notification of the grievance will note the date and time they received the document. If the employee requests, the supervisor will meet with the employee and his/her representative and submit an answer in writing within five business days. Should additional time be required to complete the investigation and prepare a response, the employee will be informed within five business days.
2. If the matter is not settled with the initial step, the employee may appeal up the chain of command within five business days for secondary review. If requested, the supervisor will meet with the employee and his/her representative. Employees will be notified in writing of the appeal disposition within five business days.
3. If the matter is not settled upon appeal, the employee may file the grievance within three business days to the Sheriff. If requested, the employee and Sheriff will meet with the employee and his/her representative. The Sheriff will respond in writing within seven business days.
4. All documentation pertaining to the grievance reported will be forwarded to the Sheriff's Administrative Coordinator for retention.

GP 2-10: Organizational Chart and Position Management

Chapter: Staffing Management
Order No: 2015-04
Effective: 05-14-2014
Revised: 10-25-2023
Approved by: Sheriff Brian Mueller
Reference: ARSD Standard 46:05 03:05 3-JDF-1A-18
ACA: 4-ALDF-7D-04-05
Classification: Public

I. Policy

- A. The Pennington County Sheriff's Office will maintain an up-to-date organizational chart reflecting the grouping of similar functions, services, activities and chains of command. The organizational chart will be used to track allocation and distribution of personnel positions as authorized by the budget year.
- B. All positions within the Sheriff's Office will be based on budget authorization. Adequate staff is determined to provide for full coverage of security posts, ensuring safe, healthy, and secure operations.

II. Definitions

- A. **Budget Authorized Full-Time Employees (FTE):** Authorized full-time equivalent positions to be filled based on budget funds for the current year.
- B. **Emergency:** A significant disruption of normal facility procedure, policy, or activity caused by riot, escape, fire, natural disaster, employee action or other serious incident.

III. General Information

- A. The organizational chart will be made available to all employees on the County Intranet, governing bodies, outside agencies and the public. A master position chart will be created each year based on budget allocated positions. Individual division charts will be maintained to reflect personnel changes.

IV. Procedural Guidelines

- A. Organization chart maintenance and availability:
 - 1. The Sheriff's Office budget approved position chart will be created and available at the beginning of each calendar year.
 - a. The Sheriff's Office budget approved position chart will be created and available at the beginning of each calendar year.

- b. The Sheriff's Office full position chart will reflect positions based on job titles, organized into respected divisions and follow the chain of command.
 - 2. Organization Charts for each of the four distinct divisions will be maintained and updated with personnel changes by Director of Personnel Services.
 - a. Division charts will include employee names, job titles and position number in accordance to the budgeted positions for each.
 - b. Division charts will be posted to the County Employee Intranet as they are updated.
 - c. Each division's administrative assistant designated will have access to the organizational chart software to meet internal division needs.
- B. Position management tracking: a position management system will be maintained by the Director of Personnel Services reflecting current and approved staffing. The following information will be tracked:
 - 1. The number of each position authorized by division budget.
 - 2. The job title of each position and its pay grade.
 - 3. Position status information, whether filled, vacant or unfunded.
- C. In the event of an emergency, the Division Commander:
 - 1. Immediately notifies the Sheriff so Emergency Staffing Procedures can be implemented.
 - 2. Assigns manpower to most effectively provide for the safety and security of the facility.
 - 3. Conducts essential personnel so staffing levels are met.

GP 2-20: Staff Selection and Group Testing

Chapter: Staffing Management

Order No: 2013-01

Effective: 12-13-2010

Revised: 02-20-2024

Approved by: Sheriff Brian Mueller

Reference: SLDC 23-2-42

SD Administrative Rule 2:01:02

The Cooper Institute Physical Fitness Assessments and Norms for Adults and
Law Enforcement

Classification: Public

I. POLICY

- A. The Pennington County Sheriff's Office (PCSO) adheres to set rules and procedures to govern staff selection and group testing activities. The rules and procedures are in place to ensure consistency and fair treatment of all applicants and employees.
- B. The staff selection process is facilitated by Human Resources Section under the direction of the Sheriff and/or Chief Deputies. Each individual division is responsible for assisting during the process and selecting the applicants best fit for their division's vacancy.

II. DEFINITIONS

- A. N/A

III. GENERAL INFORMATION

- A. N/A

IV. PROCEDURAL GUIDELINES

- A. Phase I: Posting and Screening
 - 1. Posting
 - a. Job openings are posted by human resources in accordance with the Pennington County Job Posting policy. Job postings are then disseminated through various recruiting sources and tracked by human resources.
 - b. Upon receipt in human resources, the application is reviewed according to the following assessments in accordance with the applicable job description.
 - 2. Screening:
 - a. Applicants are screened based on the minimum qualifications detailed in each applicable job description.
 - b. Application Review:
 - 1) Any external applicant not meeting the minimum requirements is notified by human resources of their disqualification.

- 2) Those meeting the minimum qualifications are forwarded to the division and/or section Hiring Managers for interview selection.
 - 3) Age and educational requirements may not apply to volunteers or interns.
3. Group Testing
- a. Those meeting the minimum qualifications are invited to the upcoming group testing activities.
 - b. Group testing activities will consist of a physical agility test and written exam.
 - 1) Deputies and Reserves
 - a) The physical agility standards are a single normed test adopted from the Cooper Institute for Physical Fitness Assessments and Norms. The test will require a minimum passing score of 18 full body push-ups, 30 sit-ups and a 1.5 mile run in less than 16 minutes and 30 seconds.
 - 2) Correctional Officers
 - a) The test will require one complete trip down and up the stairs, run out and back 35 feet weaving between cones set five feet apart. Complete one trip down and up the stairs, push a sled weighing 140 pounds 16 feet. Drag a sled weighing 140 pounds 16 feet, complete one trip down and up the stairs. Crawl 10 feet on hands and knees, step over four 18-inch-tall hurdles. Run 50 yards, turn around and run 50 yards to the finish line.
 - 3) The physical fitness assessment is administered as outlined by the Cooper Institute.
 - 4) All applicants are required to sign an acknowledgement of risk and physical ability prior to completing the physical fitness test.
 - 5) The written exam may be administered in-person by human resources or online through EMPCO.net. Both include a fee that will be paid by PCSO. The cognitive portion of the National Criminal Justice Officer Selection Inventory will be administered.
 - c. With approval from the HR Manager and one of the Chief Deputies or the Sheriff, a candidate can be tested individually rather than in a group. When this occurs, every effort is made to provide testing conditions equivalent to those experienced during group testing.
 - d. All group testing activities are facilitated by human resources with assistance from division representatives or training.

B. Phase II: Interviewing

1. The initial interview is conducted by a panel of representatives selected by the HR Manager. Panel members are provided with the application and any supporting documents (e.g., resume) provided by the applicant during the application process.
 - a. Interview questions are prepared in advance by human resources and reviewed by division and or/section managers. All members of the panel participate

actively in the interview. Following the interview, the panel members discuss the candidate's qualifications, compare to other candidates, and record notes of this discussion. Upon completion of all interviews, the panel ranks all interviews.

- b. The HR Manager makes a determination regarding the number of candidates to which a conditional offer will be made. The interview panel's ranking is the basis for determining which candidates will receive a conditional offer from Human Resources.
- c. If the interview panel feels a candidate is well-suited for the position but is ranked beyond the number of positions available, the candidate can be placed on an eligibility list. The candidate will be immediately contacted in the event a higher-ranking candidate is disqualified or withdraws prior to the start date. An eligible candidate may be contacted at any time if a position becomes available. If placed on the eligibility list, candidates will typically remain eligible for six months.
- d. Each candidate not selected for a conditional offer or placed on an eligibility list is considered denied and is informed by human resources.

C. Phase III: Conditional Offer

1. As directed, the Human Resource Generalist advises each candidate of an offer contingent upon the following established conditions based on job classification.
 - a. Favorable review of a comprehensive background investigation
 - b. Pre-employment position specific skill exams
 - c. Pre-employment drug screen
 - d. Pre-employment physical examination
 - e. Pre-employment psychological evaluation
 - f. Pre-employment job shadow
2. As detailed in "Background Investigation Policy: Pre-Employment and Pre-Volunteer", an investigation is conducted. Upon completion of the background and psychological phases of the selection process, all related documentation is carefully reviewed by a Chief Deputy or designee. Based on the suitability of the candidate, the Chief Deputy instructs human resources to schedule other components of the conditional offer to selected candidates.
3. Where applicable: after reviewing the candidate's complete application packet, including all forms and documentation submitted by the candidate, test results, and reports, the Psychologist conducts a face-to-face interview and tests the candidate using various cognitive and personality assessments. The Psychologist, in written form, summarizes the clinical impressions and makes recommendations regarding the candidates overall psychological makeup and compatibility with the position.

4. Where applicable: candidates for clerical positions may be required to complete tests designed to assess proficiency with various computer applications, data entry, multi-tasking, and keyboarding.
5. The Chief Deputy or designee reviews all information gathered within the conditional offer phase and approves or disapproves the candidate for final offer.

D. Phase IV: Unconditional Offer of Employment

1. Upon review of all information gathered within the conditional offer phase, two outcomes are possible:
 - a. If all conditions have been met favorably, the candidate is made a final offer of employment.
 - b. If any of the conditions are not met favorably, the candidate is denied employment following that condition.
2. As directed, the Human Resources Generalist advises each candidate of their status. On behalf of the Sheriff, all final offers, notification of eligibility and denials are made by the Chief Deputy, HR Manager, or designee.
3. Final offers may be made verbally, but are always followed in writing and include:
 - a. Position title, division, and rate of pay
 - b. Date of effective employment
 - c. Date and time of orientation
 - d. Requirements for proof of employment eligibility
 - e. Required information for benefit enrollment
 - f. Notice of 12-month probationary period

GP 2-23: Background Investigation Pre-Employment and Pre-Volunteer

Chapter: Staffing Management
Order No: 2014-04
Effective: 07-07-2011
Revised: 09-29-2020
Approved by: Sheriff Kevin Thom
Reference:
Classification: Public

I. Policy

- A. The Pennington County Sheriff's Office conducts a reasonable investigation into the background of prospective employees, contractors, and volunteers, who, by the nature of the position to be filled, will have access to sensitive information, facilities, computer systems, clients, detainees, inmates, procedures, and/or reports. In order to minimize the Sheriff's Office risk exposure, this policy has been established to ensure fair and consistent evaluation.
- B. All candidates for full- and part-time employment with the Sheriff's Office undergo a comprehensive background investigation prior to being made a final offer. Candidates for Seasonal / Temporary employment, contractors, or volunteers are subjected to a limited background investigation.
- C. All current employees upon promotion, transfer and in accordance with PREA will undergo a limited background investigation.

II. Definitions

- A. N/A

III. General Information

- A. N/A

IV. Procedural Guidelines

- A. Authorized Forms:
 - 1. Pennington County Sheriff's Office Personal Questionnaire
 - 2. Certification of complete and true responses
 - 3. Authorization for release of information
 - 4. Consent to Examine Personal Social Networking Sites and Personal Web Pages

- B. Investigation Procedure: Human Resources, at the direction of the Sheriff, Chief Deputy, or Commander/Director, coordinate all background investigation activities.
1. Generation of Specific Reports: Once a candidate is given a conditional offer of employment, authorization is received and the following reports are generated:
 - a. Fingerprints of the candidate will be submitted to the Division of Criminal Investigation and Federal Bureau of Investigation for a criminal history check
 - b. National Crime Information Center (NCIC) check under all known identities
 - c. Interstate Identification (Triple I) check
 - d. Residence history local agencies records check
 - e. Credit report from third party provider
 - f. Mid-States Organized Crime Information Center (MOCIC)
 - g. Motor vehicle records and driver's licensing records
 - h. Applicant check under the Medicaid Exclusionary Database
- C. Review of Reports:
1. Prior to the assignment of an Investigator, the above applicable forms and reports are reviewed by the Human Resources Generalist and/or Chief Deputy. This review may include an interview with the candidate to discuss details of identified criminal activity or credit report items that require personal explanation.
 2. In the event a credit report provides information that gives reason to deny an applicant further consideration, the Human Resource Generalist informs the candidates of the potential denial. The Pennington County Sheriff's Office complies with requirements of the Fair Credit Reporting Act (FCRA) via the third-party vendor.
- D. Assignment of Investigator: Investigations are conducted by individuals specifically trained in background investigation techniques. In most cases, investigations are assigned to persons employed part-time by the Sheriff's Office for this purpose.
- E. Investigative Methods: Investigators are expected to gather and summarize information related to the candidate's qualifications, educational achievements, prior employment experience, and general character. Sources of this information may include but are not limited to:
1. Personal interview with candidate. Telephonic interview may be allowed with approval from the Chief Deputy or designee.

2. Inquiries of personal and professional references, co-workers, and acquaintances provided by candidate
 3. Inquiries of past and present neighbors, spouses, and landlords
 4. Verification of past and current employment
 5. Review of all reports provided during the initial screen by human resources
 6. References developed through any of the above inquiries
 7. Any other source of information the investigation uncovers
- F. Investigation Summary: Once the Investigator has completed the investigation, a dictated summary is provided to the Human Resources Department. This report contains applicable pertinent information in the following categories:
1. Personal History
 2. Personal References / Contacts
 3. Employment References / Verification
 4. Discussion of responses to Personal Questionnaire
 5. Discussion of any legal involvements
 6. Education verification
 7. Discussion of credit report issues
 8. Discussion of driving history
 9. Discussion of social networking search and review
 10. Review of all criminal history reports reviewed
 11. Review of essential employment policies and position requirements. This includes but is not limited to: tattoos and body art, secondary employment, shift work, inherit risk and ongoing physical agility requirements.
- G. Once typed, the Investigation Summary and entire applicant file is fully reviewed by a Chief Deputy. Based upon this review and approval from the Sheriff, a determination is made regarding appropriateness for an offer of employment.
- H. Special Circumstances: In the case of a temporary, seasonal, contracted or volunteer position, the conditional offer phase is abbreviated.
1. If selected for the position, the candidate is not required to undergo a complete background investigation.

2. In lieu of a complete background investigation, authorization of the candidate is requested for a Criminal Records Check, local records check and credit history (where applicable). Unless the position involves handling of monies, a credit report is not generated. A statement of review and approval is prepared by the Chief Deputy and provided to the Human Resources Department.
 3. In the event someone working in a seasonal/temporary, contractor, or volunteer capacity is being considered for a full- or part-time position, the Division Commander or Director may propose modification of the steps outlined in this policy. Prior to authorizing the change in employment status, the Sheriff or Chief Deputy will review the facts provided and advise of approval.
- I. Records: Per record retention policy, employment applications are maintained for two years. In addition to the application, the following documents are maintained for those candidates not hired:
1. Written information submitted by the applicant
 2. Tests results
 3. Forms completed and reports generated for purposes of background investigation
 4. Reports created by investigators and staff psychologist
 5. Interview notes
- J. When a candidate accepts employment, records are maintained according to the established policy, "Guidelines for Employment-Related File Contents and Retention".

GP 2-23 Appendix A: Prison Rape Elimination Act Prisons and Jail Standards

United States Department of Justice Final Rule
National Standards to Prevent,
Detect, and Respond to Prison Rape
Under the Prison Rape Elimination Act (PREA)

28 C.F.R Part 115
Docket No. OAG-131
RIN 1105-AB34

The Pennington County Sheriff's Office complies with the following Prison Rape Elimination Act (PREA) of 2003 standard 115.17 Hiring and Promotion Decisions:

- A. The agency shall not hire or promote anyone who may have contact with inmates, and shall not enlist the services of any contractor who may have contact with inmates, who—
 - 1. Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997);
 - 2. Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or
 - 3. Has been civilly or administratively adjudicated to have engaged in the activity described in paragraph (a)(2) of this section.
- B. The agency shall consider any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates.
- C. Before hiring new employees who may have contact with inmates, the agency shall:
 - 1. Perform a criminal background records check; and
 - 2. Consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse.
- D. The agency shall also perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates.

- E. The agency shall either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with inmates or have in place a system for otherwise capturing such information for current employees.
- F. The agency shall ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions and in any interviews or written self-evaluations conducted as part of reviews of current employees. The agency shall also impose upon employees a continuing affirmative duty to disclose any such misconduct.
- G. Material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.
- H. Unless prohibited by law, the agency shall provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work.

GP 2-25: Division Transfer Requirements

Chapter: Staffing Management
Order No: 19-03
Effective: 05-27-2008
Revised: 10-25-2023
Approved by: Sheriff Brian Mueller
Reference:
Classification: Public

I. Policy

- A. The Pennington County Sheriff's Office encourages employee development and retention by supporting those who request transfer between divisions of the Sheriff's Office. The Sheriff's Office is committed to selecting the individual best suited to fill a particular position, internal or external candidate.

II. Definitions

- A. N/A

III. General Information

- A. N/A

IV. Procedural Guidelines

- A. **Internal Transfer:** In order to be considered for transfer to another division, all positions with the exception of Booking Technician, Correctional Officer or Deputy Sheriff must have worked in the current position for at least 6 months. Booking Technicians, Correctional Officers or Deputies must have worked in the current position for at least 12 months. The 6 and 12-month requirements must be met prior to applying for advertised opportunities.
 - 1. Exceptions to the time in service requirement may be modified by the Sheriff or Chief Deputy when in the best interest of the Office.
- B. Further, the employee must be performing their current job assignment at an acceptable level. This includes conduct during the time of offer and transfer date.
- C. If eligible for transfer based on the above requirements, internal candidates will be required to:
 - 1. Submit formal application according to job posting instructions.
 - 2. If selected for interview, participate in the interview process.
 - 3. Deadlines and other details will be included in the job announcement.

D. If selected for the position, the transfer details (pay rate, effective date) are arranged by the applicable division leaders.

GP 2-30: Employee Onboarding

Chapter: Staffing Management

Order No: 2013-01

Effective: 12-13-2010

Revised: 03-23-2020

Approved by: Sheriff Kevin Thom

Reference:

Classification: Public

I. Policy

- A. The Pennington County Sheriff's Office recognizes the importance of an effective onboarding process and its value to an employee as they begin their career. The onboarding process is designed to: communicate the Sheriff's Office culture, mission and policies, help the new employee understand their role in the organization, and build positive working relationships with current staff.

II. Definitions

- A. N/A

III. General Information

- A. Preparing for a new employee's first day is a collaborative effort facilitated by the Pennington County Human Resources Staff. All efforts are made to prepare necessary logistics prior to the employee's orientation date.

IV. Procedural Guidelines

A. Responsibilities of the Human Resources Department Staff:

1. Two e-mail notifications of new employees are distributed to ensure necessary information is accessible to prepare for the new employee's first day.
 - a. The first e-mail notification is sent to the following:
 - 1) The employee's direct supervisor and all those above in the chain of command.
 - 2) Training personnel
 - 3) The nurse manager
 - 4) The Aflac representative
 - b. Information required in the first notification is contained in a report generated by the electronic personnel software program. The report should include:

- 1) Employee name
 - 2) Orientation date
 - 3) Employee number
 - 4) Employee job title and status
 - 5) Employee division
- c. The second e-mail notification is sent to the following:
- 1) The receiving division's Administrative Assistant
 - 2) The receiving division's Accountant
 - 3) The Director of Personnel Service
 - 4) The Administrative Assistant III (Finance)
 - 5) The Pennington County Chief Deputy Auditor
- d. Information required in the first notification is contained in a report generated by the electronic personnel software program. The report should include:
- 1) Employee name
 - 2) Orientation date
 - 3) Employee number
 - 4) Employee job title and status
 - 5) Employee department
 - 6) Budget account number
 - 7) Social security number
 - 8) Wage scale step and grade
 - 9) Hourly or monthly salary
 - 10) An attached PDF view of the employee's demographic information
2. New employees are also welcomed through the bi-weekly staff changes notification e-mail, division employee newsletters and through Sheriff's Office social media accounts.
 3. Facilitates new hire orientation to include scheduling and presentation.
 4. Includes new hire information in the monthly letter to the County Auditor.

5. Enters employee information in the electronic personnel file software to include hiring, medical and confidential file components.
6. Enters the new employee into the required electronic training system.

B. Responsibilities of the receive Division Administrative Assistant and/or Accountant:

1. Prepare division specific training and/or orientation activities.
2. Determine employee's work schedule.
3. Prepare payroll related items.
4. Update phone list, rosters, organizational charts, etc.
5. Verify proper IT setup (e-mail groupings, access privileges etc.).
6. Provides information on issuance of uniforms and equipment.
7. Issues employee ID badge, building access cards and keys.
8. Issues employee locker, work space, mailbox and voicemail set up.
9. Introduction to employee timesheet.
10. Introduction to employee gift fund and other division specific employee programs.
11. Completes employee orientation checklist through essential learning software.

C. Responsibilities of Training Staff:

1. Executes required classroom or on-the-job training specific to the job classification.
2. Provides the tools necessary for the employee to successfully learn their position.
3. Prepares and documents training required for each position classification.

D. Responsibilities of Information Technology Staff:

1. Establish access to all computer applications required for job classification.
2. Provide username and password information to appropriate division personnel.
3. Respond to requests for necessary division equipment needs.

E. Responsibilities of Nursing Staff:

1. Schedule and perform Tuberculosis testing within 14 days of employment as required by GP 1-40: Occupational Exposure to Infectious Disease and Viral Hepatitis/Human Immunodeficiency Virus (HIV) Post-Exposure Prophylaxis
2. Offer Hepatitis B vaccination series within 14 days of employment.

F. Orientation Day Guideline:

1. Overview of the Sheriff's Office divisions and functions.
2. Review the Pennington County Handbook.
3. Review Pennington County sheriff's Office Global Policies
4. Introduction to essential learning software and required orientation training.
5. Explanation and enrollment of flex accounts and supplemental products.
6. Public Safety Building Tour.
7. Benefit description and enrollment forms:
 - a. I9 Employment Verification
 - b. W4
 - c. Healthcare
 - d. Voluntary life
 - e. Retirement
 - f. Direct deposit
 - g. Pick-a-draw

GP 2-40: Student Interns

Chapter: Staffing Management

Order No: 2012-09

Effective: 01-31-2012

Revised: 10-25-2023

Approved by: Sheriff Brian Mueller

Reference:

Classification: Public

I. Policy

- A. The Pennington County Sheriff's Office Intern Program is intended to create a viable training experience for the involved students while protecting the integrity and confidentiality of the Pennington County Sheriff's Office.

II. Definitions

- A. N/A

III. General Information

- A. Internships may be paid or unpaid, depending on the needs of the organization.

IV. Procedural Guidelines

- A. Designated Intern Supervisor:
 - 1. The HR Manager will be appointed as an intern supervisor and will have the responsibility of:
 - a. establishing internship schedules
 - b. maintaining internship personnel files
 - c. establishing training procedures
 - d. acting as a point of contact for intern questions and concerns
 - e. completing and returning any intern related paperwork
- B. Internship Program:
 - 1. The Sheriff's Office website will direct interested parties to the Human Resources office with questions relating to internships.
- C. Intern Program Applicant Eligibility:
 - 1. To be eligible for a Sheriff's Office Internship, students must:

- a. Be actively attending college, university, or vocational-technical program
- b. Be a full-time student

D. Application and Hiring Process:

1. Interviews: The screening and selection process is at the discretion of the division Director or Commander.
2. Application: An individual selected by the division Commander or Director must complete an application if the internship is to include pay for hours worked. The application will be available through Human Resources.
3. Position Offers: For paid internships, the conditional job offer is made by the HR Manager or designee. Once the background investigation and drug screening conditions of the offer are satisfied and approved by the Chief Deputy of the Division, a final offer will then be sent to the applicant.
 - a. Background Investigations: Interns, paid or unpaid, will undergo an abbreviated background investigation per global policy 1-5 Background Investigation: Pre-Employment and Pre-Volunteer.
4. Intern On-Boarding: On-boarding for paid interns will follow established global policy 1-3 Employee On-Boarding for seasonal/temporary employees.

E. Intern Access to Confidential Information/Computers:

1. Access to confidential information/computers will be determined by the division's intern coordinator and such access will be based on assigned activities. Training on confidentiality will be provided by the intern coordinator.

GP 2-60: Employee Exit Processing

Chapter: Staffing Management

Order No: 2013-01

Effective: 05-16-2012

Revised: 06-07-2023

Approved by: Sheriff Brian Mueller

Reference:

Classification: Public

I. Policy

- A. The Pennington County Sheriff's Office (PCSO) recognizes the importance of providing a seamless transition for exiting employees, appreciates their feedback, and seeks opportunities to provide minimal disruption to the remaining workforce. Regardless of the reason for exit, all employees are processed according to this policy.

II. Definitions

- A. **Employee Exit:** An employee separating from the PCSO due to retirement, resignation, death or disciplinary action.

III. General Information

- A. The PCSO requires a two weeks' notice from all employees planning a resignation or retirement.
 1. The Sheriff or designee has the discretion to require an extended notice period for selected positions.
 2. The extended notice requirement will be included during the employee's hiring process.
- B. The PCSO requires the minimum notice period to be actual working days.
 1. Unless pre-approved or unavoidable, the notice period will not include vacation, sick, personal or holiday leave time.
 2. Employees should avoid planning their resignation notice prior to advance vacation picks when the exit is foreseeable.
- C. The PCSO will consider an employee ineligible for rehire if the proper notice is not provided.
- D. The PCSO recognizes the need for certain circumstances to warrant a shorter exit period.
 1. These will be reviewed and approved on a case-by-case basis by the division's command staff, Chief Deputy and Human Resources Department.

2. An example of this would be an employee who has yet to complete their initial training period.

IV. Procedural Guidelines

- A. Once advised of an employee's exit, the division's office manager or accountant should e-mail notify the employee's job classification, last working day and final day of employment to:
 1. The Auditor's Office
 2. Division Command Staff
 3. Training
 4. Uniform and Equipment Manager
 5. Human Resources Department
 6. Division Administrative Assistant
- B. The division's command staff is responsible for:
 1. Ensuring receipt of the employee's final, signed timesheet and routing it to the office manager or accountant.
 2. Collecting written documentation of the exit and routing it the office manager or Human Resources Department.
 3. Communicating staff replacement needs to the Chief Deputy and Human Resources Department.
- C. Human Resources staff is responsible for completing or notifying the appropriate party for:
 1. Collection of the employee's proximity card and disabling access, when applicable.
 2. Implementing measures to fill the vacated position.
 3. Updating the personnel record.
 4. Notifying County Information Technology to disable account access and removed from distribution lists.
 5. Notifying State TRACS system, Pennington County ESCC and evidence staff.
 6. Ensuring notification is sent to the Law Enforcement Training Standards and Commission if the employees is classified as an NCIC terminal operator or certified law enforcement officer.

7. Including the employee's information in the staff changes e-mail to all staff so rosters, photos, organizations charts, etc. can be updated.
 8. Offering employees an exit interview.
 9. Sending employees notice of the continuation, term or payout of applicable benefits as follows:
 - a. Final pay checks will be remitted via direct deposit and include all applicable, unpaid leave accruals.
 - b. Health and dental care coverage will term effective the last day of the month in which the employee worked. A COBRA notice will be mailed to the employee's home.
 - c. Employee Assistance Program services are no longer available after the last day of employment.
 - d. Term life insurance coverage expires on the last day of employment, voluntary life insurance and additional supplemental insurances process by payroll deduction will term the last day of the month. To continue coverage, the employee will need to contact the provider company directly.
 - e. South Dakota Retirement System (SDRS) fund questions should be directed to SDRS at 1-888-605-7377.
 10. Directing employees to return all issued items and equipment to the appropriate designee.
 11. Ordering a years of service plaque as detailed in GP 8-40.
 12. Reaching out to the employee if he/she wants office-wide recognition, if exiting in good standing.
 - a. If the employee has been employed with the PCSO for fifteen or more years, then a PCSO-wide recognition event shall be warranted. For employees exiting with less than fifteen-years of service, but ten or more years; a smaller event within the division shall be warranted.
 - 1) Planning and purchasing the event food must adhere to the Pennington County Auditing Standards & Purchasing Policy.
 13. Printing a law enforcement officer retiree or inactive badge if employee is eligible under HR 218.
- D. Any contact regarding employment with the PCSO will be directed to the Director of Personnel Service.
1. The Director of Personnel Service will only release dates of employment and job title for external employment verification.

-
2. If additional information is requested, the former employee or requestor will be required to provide a release of information. Upon receipt, the Director of Personnel Service or designee may disclose personnel file contents.

GP 2-70: Personnel Record Retention and Destruction

Chapter: Staffing Management

Order No: 2013-01

Effective: 05-16-2012

Revised: 03-19-2020

Approved by: Sheriff Kevin Thom

Reference:

Classification: Public

I. Policy

- A. The Pennington County Sheriff's Office maintains electronic personnel records in accordance with applicable State and Federal retention requirements. This policy provides guidelines for document location, length of retention, access to files and the destruction process.

II. Definitions

- A. N/A

III. General Information

- A. N/A

IV. Procedural Guidelines

- A. **Maintenance of Personnel Records:** The Pennington County Sheriff's Office Director of Personnel Service maintains the following components of the personnel record in electronic records software or hard copy form.
 - 1. Records generated during the course of employment are scanned by Division Administrative Assistants for entry by the Human Resources Department.
 - a. Medical file
 - b. Confidential file
 - c. Personnel file
 - d. Applicant selection and hiring records
 - 2. The Pennington County Sheriff's Office Training Division maintains personnel training records in electronic records format.
 - 3. The Pennington County Auditor's Office Maintains the following records in accordance with Pennington County policy:
 - a. I-9 records

- b. Payroll records
- c. Equal Employment Opportunity records

B. Documents Maintained in Personnel Records:

1. Personnel records should include all information during an employee's course of employment that is considered in any employment-related decision. This includes the following:
 - a. Application of employment and supporting documentation (resumes, letters of recommendation, certificates etc.)
 - b. Proof of education, training and/or military service
 - c. Performance reviews
 - d. Disciplinary actions
 - e. Commendation letters and awards
 - f. Correspondence of promotions, transfers, demotions, and special assignments
 - g. Ancillary duty activity
 - h. Secondary employment correspondence
 - i. Wage history to include correspondence if a merit raise is not awarded
 - j. Signed statements of understanding and policies
 - k. Resignation and/or termination notifications
 - l. Miscellaneous
2. If an employee feels information entered in their personnel file is inaccurate, they may request the Sheriff review that information. If determined to be inaccurate, the Sheriff has the discretion to remove the information or include an addendum of correction to the record.

C. Documents Maintained in Applicant Hiring and Selection Records:

1. Retained documents related to the staff selection process should include all documentation generated as the result of either a hire or no hire decision. The following documentation should be included:
 - a. Application of employment and supporting documentation (resumes, letters of recommendation, certificates etc.)
 - b. Proof of education, training and military service

- c. Interview notes
- d. Selection exams
- e. Any reports generated as the result of a conditional offer of employment

D. Documents Maintained in Confidential Records:

1. Documentation designated as confidential is not to be taken into consideration when making employment related decisions. Documentation stored in the confidential section may include the following:
 - a. Wage garnishment paperwork
 - b. Pre-employment background investigation summary and related reports, forms and searches
 - c. Internal investigation summaries

E. Documents Maintained in Medical Records:

1. Records maintained in the medical file are considered private and are not to be accessed for purposes of employment related decisions. Records included in the medical file are:
 - a. Workman's Compensation reports and claim documentation
 - b. Family Medical Leave Act documentation
 - c. Request for Accommodation documentation
 - d. Fit for duty verification documentation from employee physical exams
 - e. Restricted duty assignment documentation
 - f. Immunization records
 - g. Return to work sick excuse slips
 - h. Return to work medical restriction forms
 - i. Pre-employment drug screen results
 - j. Random alcohol and drug testing documentation
 - k. Pre-employment psychological evaluations

F. Documents Maintained in Training Records:

1. Training files should reflect completed on-the-job training requirements, trainings attended, certifications earned, and any other training activity completed by an employee during the course of their employment.

2. Training records can be used for employment-related decisions to assist in determining qualifications and performance review.

G. Access to Personnel Records:

1. Electronic personnel access view and edit rights are assigned and maintained by the Director of Personnel Service under the direction of the Sheriff.
2. The Director of Personnel Service and the Human Resources Generalist and Sheriff's Administrative Assistant will have full view and edit rights to all components of the electronic personnel file.
3. The Sheriff and Chief Deputies will have full view rights to all components of the electronic personnel file.
4. Each division's Administrative Assistant will have full view rights to their division personnel with the exception of the medical and confidential components, and edit rights to the demographic portion of the personnel file.
5. Each division's Lieutenant, Captain, Commander/Director and the Nurse Manager will have view rights to all their division personnel with the exception of medical and confidential components.
6. Each division's Sergeants, Clinical Supervisor, and Program Manager will have view rights to those employees they directly supervise with the exception of the medical and confidential components.
7. Each employee will have view rights to their electronic personnel file with the exception of the medical and confidential components.

H. Retention Requirements for Personnel Records:

1. All personnel and training records are retained in electronic format for seven (7) years following the exit of the employee. Training files are stored in a separate electronic location referenced in the personnel file.
2. Any files relating to an employment related dispute with a terminated employee beyond the seven (7) year retention requirement are retained until reconciled.
3. Employee medical exams and exposure to toxic substances are retained electronically for 30 years.
4. Applicant hiring documentation is maintained through an independent online application system. Electronic application materials only include those entered by the applicant and are maintained indefinitely. All other documentation created in the selection process is maintained by Human Resources Department in hard copy for two (2) years.

I. Destruction Process for Personnel Records

1. Personnel file contents with the exception of medical records are deleted electronically after seven (7) years by the Director of Personnel Service and logged by date on the record destruction tracking sheet.
2. Training files are deleted from electronic storage after seven (7) years by the training division upon direction from the Director of Personnel Service and logged on the record destruction tracking sheet.
3. Applicant hiring and selection hard copy documentation is destroyed after two years by the contracted paper shredding company. The month and year destroyed is logged on the record destruction tracking sheet.

GP 2-90: Physical Fitness

Chapter: Staffing Management
Order No: 2019-4
Effective: 10-01-2009
Revised: 10-25-2023
Approved by: Sheriff Brian Mueller
Reference:
Classification: Public

I. Policy

- A. The policy of the Pennington County Sheriff's Office is to promote and maintain a reasonably healthy and physically fit work force for the purpose of preventing undue health related costs, facilitating employee safety and assuring a capable and productive work force. This policy will be achieved through establishing reasonable physical fitness standards for employees.
- B. The Pennington County Sheriff's Office recognizes every employee's level of general health and physical fitness is related to the overall efficiency, effectiveness, morale and well-being of the work force. It also recognizes the nature of law enforcement work demands a healthy and physically fit work force capable of performing required duties.
- C. Health and physical fitness deficiencies among PCSO personnel are related to other significant organizational and employee costs such as sick days, accidents, health insurance claims, workman's compensation claims and, even in certain instances, legal liability.

II. Definitions

- A. N/A

III. General Information

- A. Those whose primary responsibility includes interacting with the public in potentially volatile situations or maintaining a safe and secure environment for individuals in the custody of the Pennington County Sheriff are likely to rely on physical agility, both their own and that of co-workers, to effectively handle difficult situations. In advance of and during the course of assignment to such positions, employees in specified job classifications must be able to demonstrate muscular endurance and cardio-respiratory fitness. The PCSO has elected to use a modified Cooper single norm standard in establishing a workforce capable of safely serving the citizens of Pennington County.
- B. Demonstration of physical fitness is mandatory for all sworn law enforcement personnel, correctional officers, and candidates for these positions. For the purpose of

this policy, “employee” will include (1) deputy sheriffs (including reservists), (2) correctional officers, and (3) all job classifications derived from 1 and 2 with special assignments or rank above entry level. Inclusion of Division Commanders is at the discretion of the Sheriff. Testing is conducted to assess the physical fitness condition of each employee according to established standards.

IV. Procedural Guidelines

A. Physician’s evaluation

1. In order to ensure the employee is able to perform the essential duties of his or her position and safely participate in physical fitness testing, some employees are required to be assessed by an employer-approved Physician every other year. The following examination standards have been established:
 - a. Lab Profile (Mega Blood Profile and Urinalysis) – Blood is drawn (while fasting) and urine collected in advance of physical exam date. Samples are used to report Lipid Panel (cholesterol and triglycerides), Complete Metabolic Panel (liver and kidney function, electrolytes, minerals, and diabetes screening), and Complete Blood Count (red and white blood cell indices).
 - b. Completion of medical history questionnaire
 - c. Basic physical exam by Physician, including a review of the lab profile, medical history questionnaire, and current vital signs.
 - 1) For those ages 31-40, the following are added to the items above:
 - a) Resting EKG (Electrocardiogram) with interpretation
 - b) Lateral Chest X-Ray
 - 2) For those ages 41-50, the following are added to the items above:
 - a) PSA (Prostate-Specific Antigen) for males
 - 3) For those ages 51 and above, the following are added to the items above:
 - a) Cardiac Stress Test on treadmill (conducted by a M.D.)
2. Based on the physical evaluation, recommendations regarding fitness for duty and suitability for physical fitness testing are provided by the Doctor. Such recommendations are valid for 24 months unless countered by further documentation.
3. The PCSO coordinates the blood draws and physical exams with a local clinic. If an employee consults with a Physician other than one arranged by the PCSO, the employee must, in advance of the scheduled testing, provide records from

the physical exam and the Physician's recommendation regarding physical fitness testing to the PCSO HR Manager.

4. If an employee consults with a Physician other than one arranged for by the PCSO, the employee is responsible for making payment arrangements with the Provider. Such arrangements may include directly billing the PCSO for the services. The maximum amount paid is equal to the amount for equal services provided by the PCSO designated clinic and Physician. The PCSO will not pay for fees associated with completing forms. Instructions and required forms are available from the HR department.
5. Any limitation recommended by the Physician is reviewed as soon as possible by the HR Manager. Communication with the Physician is, with the employee's signed consent, handled by the HR Manager. In the event an employee is determined unable to participate completely in the physical fitness testing, a plan for resolution is developed. In conjunction with the employee, Physician, and Division Commander, the HR Manager will formalize and monitor the plan. The employee is responsible for advising the HR Manager of any change relating to his or her ability to participate in physical fitness testing.

B. Physical Fitness Testing

1. Once suitability for participation in the physical fitness testing has been recommended by the Physician, the employee is scheduled to participate in annual testing. This testing is arranged by a designated individual in each division (Training Officer, for example). The designated tester, called a testing facilitator, is responsible for recording the results (quantitatively) for each employee tested. These results will become a part of the employee's personnel record.
 - a. Employees unable to complete components of the testing as dictated during the bi-annual physical will be reviewed by command staff. Reasonable accommodations considering the physical requirements of their position will be discussed. Medical documentation should include the duration of the expected accommodation. They should be reviewed bi-annually or as requested by the employer.
 - b. Those unable to participate in 1.5-mile run may be allowed the Cooper 3-mile walk alternative. Standards as outlined in the Cooper Age and Gender Standards will be followed.
 - c. Those unable to participate in the sit up component may be allowed to completed a 1:20 second plank option.
 - d. There are no approved alternatives for the push up component.
 - e. Typically, the above alternatives are designed to allow for recovery or as temporary alternatives with the intention of the employee regaining the ability to complete the standard testing events.

2. In order to ensure consistency between the different individuals conducting the testing, a testing committee, made up of two representatives from each of the effected divisions, has been formed. Under the leadership of one committee member with specialized training, the committee members will uniformly enforce the agreed upon testing standards. Protocol for each portion of the test is included in the Appendix “Physical Fitness Standards” *.
3. The Training Division will schedule and conduct the annual testing with assistance from each divisions command staff. Following the annual testing, the Training Division will, accounting for all required to test, provide a list of those who did and did not pass to the HR Manager for review.
4. The testing schedule is planned annually as follows:
 - a. Blood draws – Mar/Apr
 - b. Physician’s Evaluation – Apr/May
 - c. Division Testing – End of August/ Early September
 - d. Re-tests / Makeup Tests – Monthly as needed

C. Retesting / Makeup Testing

1. An employee failing any portion of the official annual physical fitness evaluation must re-test on the failed portion until a passing score is achieved. In addition to retesting, the employee is expected to make adjustments to lifestyle or physical conditioning practices in order to comply with physical fitness standards. Within two weeks of receipt of notice of failure, the employee will provide the testing facilitator with written information detailing methods of preparation for testing and plans for improvement.
2. Each employee who has not taken the annual physical fitness test due to absence or lack of medical clearance will be required to participate in the next scheduled re-testing. Retesting will be scheduled monthly with responsibilities being shared by all members of the testing committee.
3. Notification of all division re-testing will be made at least two weeks in advance and include the date, time, and location of re-testing as well as an alternate inclement weather location for outside portions of the re-testing. This notification will be made to the effected employee and supervisor (for scheduling purposes). Failure to participate in scheduled testing or related activities is considered failure to report for duty and may result in disciplinary action.
4. The PCSO may require a Physician’s consultation for an employee unable to pass any portion the physical fitness evaluation. This consultation will be at the expense of the PCSO.

D. Noncompliance with Physical Fitness Testing

1. If after three testing efforts to demonstrate physical fitness, an employee fails to meet the standard, the following actions will be taken:
2. Information specific to the employee will be reviewed by a Physical Fitness Evaluation Committee (made up of Division Commanders and HR Manager). Information sources include:
 - a. Current year testing activity and results
 - b. Employee's written description of efforts to meet the standards and plans for improvement
 - c. Effect on job performance
 - d. Past years' testing activity, if applicable
 - e. Meeting with employee
3. The Physical Fitness Evaluation Committee will determine appropriate action.
4. Formal documentation relating to noncompliance with physical fitness standards will be placed in the employee's personnel file. This record may impact:
 - a. Promotion or transfer opportunities
 - b. Discretionary pay increases
 - c. Any work condition based on performance
 - d. Continued employment with the PCSO

E. Compensation

1. An employee's attendance for activities required of this policy during or outside of working hours is considered "time worked". These include annual testing and appointments required to complete the medical physical. Such time shall be identified on the employee's time sheet. Where possible, activities shall be scheduled such that overtime is not incurred as a result of the required activity.

F. Records

1. All medical records are maintained according to established PCSO policy (by the HR Manager).
2. All records pertaining to non-compliance with physical fitness standards become a part of the employee's personnel file.

A. GP 2-90: Appendix A

The Pennington County Sheriff's Office has elected to use a modified Cooper single norm standard for persons employed in the job classifications of Correctional Officer or Deputy Sheriff.

Standards Summary Chart

Tests will be administered in the same order for each testing. Push-ups, sit ups followed by the cardio component.

Push Ups		18 full body			
Sit Ups		30			
Plank with approved accommodation request		1:20			
1.5 Mile Run		16:30			
3-Mile Walk with approved accommodation request		See below			
Age	20-29	30-39	40-49	50-59	60-69
Male	38:30	40:00	42:00	45:00	48:00
Female	40:30	42:00	44:00	47:00	51:00

I. Muscular Endurance, the ability to contract the muscle repeatedly over a specific period of time without undue fatigue, is measured by the sit up and pushup tests. Each allows the individual one minute to perform the required number.

A. Protocol for Push Up Test: This test measures muscular endurance of the upper body (anterior deltoid, pectoralis major, triceps). A minimum of 18 full body push-ups are required.

1. The hands are placed slightly wider than shoulder width apart, with fingers pointing forward.
2. Starting from the up position (elbows extended), the client must keep the back straight at all times and lower the body to the floor until the upper back breaks the plane formed by the triceps, back of arm. Client then returns to the up position. This is one repetition.
3. Resting should be done only in the up position. Both hands must remain in contact with the floor at all times.
4. The total number of correct pushups in 1 minute is recorded as the score.

B. Protocol for Sit Up Test: This test measures abdominal muscular endurance.

1. The client starts by lying on the back, knees bent, heels flat on the floor. Arms can be crossed on chest or hands cupped behind the ears. Avoid pulling on the

head with the hands. The buttocks must remain on the floor with no thrusting of the hips.

2. A client holds the feet down firmly.
3. The client should complete the minimum standard in one minute.
4. In the up position, the client's torso should be perpendicular to the floor and then return until the shoulder blades touch the floor.
5. Score is total number of correct sit ups. Any resting should be done in the up position.
6. Breathing should be as normal as possible, making sure the client does not hold their breath.

II. Cardiorespiratory Fitness: In order to assess the cardiovascular condition and measure endurance, employees and candidates for employment must perform the 1.5-mile run. Testing is typically conducted on an outdoor quarter mile track or indoors at Central High School requiring 13.5 laps for completion.

III. Testing Minimums and Annual Testing Incentives.

- A. For pre-employment purposes applicants must complete the minimum standards. They are directed to stop the testing once the standard is met. If they do not meet the standard in the allotted time or minimum requirement they will not advance in the hiring process.
- B. For current employees completing annual testing they are encouraged to exceed the standard in each event. Below are the standards for obtaining incentives and/or recognition for excellence.

Top Age Performer	Awarded to top performer in each age category by decade.
Top Ten Award	Awarded to the top ten finishers in each event.
Fitness Award	Awarded to those who exceed the below standards. 25 Push-Ups, 42 Sit Ups, 13.25 1.5 Mile Run or 38:00 3-mile walk

GP 2-92: Return to Duty

Chapter: Staffing Management

Order No: 2017-01

Effective: 03-26-2006

Revised: 03-19-2020

Approved by: Sheriff Kevin Thom

Reference:

Classification: Public

I. Policy

- A. The Pennington County Sheriff's Office is committed to assisting in improved employee attendance and return to work in accordance with applicable State and Federal employment laws. This policy is designed to facilitate an early identification process and procedure for addressing above average absenteeism and the interactive accommodation process for those returning to work from illness or injury.
- B. Return to work restricted or modified duty assignments are not guaranteed and may not always be available for employees.
- C. This policy works concurrently with Sheriff's Office Global Policy 4.10 Workers Compensation and Pennington County Policy 5.1 Family Medical Leave Act. Employees should be familiar with reporting requirements under each for qualification.

II. Definitions

- A. **Modified Duty Assignment:** An accommodation based on medical necessity that restricts an employee from performing essential functions of their regularly assigned position. For example: a deputy sheriff who cannot stand, walk or run.
- B. **Restricted Duty Assignment:** An accommodation based on medical necessity that restricts an employee from performing minor functions of their regularly assigned position. For example: a deputy sheriff assigned to investigations cannot respond to medical emergencies.

III. General Information

- A. Absenteeism Notification Roles and Responsibilities
 - 1. Employees are responsible for notifying the on-duty supervisor by phone as soon as reasonably practical prior to their scheduled shift. Unless emergent or incapacitated, one-hour prior is the minimum notice that should be provided.
 - a. Employees are required to physically speak with a supervisor. Notifications via text or email will not meet notice standards.

- b. Employees should relay the type of leave requested, expected length of absence and general nature of reason for absence. Employees do not have to share personal health information with their supervisors, but should indicate if the illness or injury is work related.
 - c. Employees are required to provide a satisfactory medical note upon request. Employees also are required to provide satisfactory medical documentation once the absence has met three days in duration.
 - 2. Supervisors at time of notification of absence should determine if the absence is due to illness or injury of the employee or dependent, inquire if it is work related, offer assistance or support and inquire about anticipated duration.
 - a. Upon notice of an employee absence that will exceed three shifts in duration, the supervisor should notify their chain of command who will notify human resources.
 - 3. Human Resources Department shall monitor the monthly employee leave usage report for employees utilizing sick/personal leave above the work group average or suggesting a pattern for concern.
 - a. Human Resources Department shall review the employee medical file and inquire with the employee's supervisor to determine application of further intervention or employee leave entitlements under State and Federal Law.
 - b. Human Resources Department shall follow up with the employee directly and document in the employee's personnel file or medical file when applicable.
 - c. If the leave usage identifies a need for an attendance enhancement plan of action, human resources will work with the employee's chain of command to provide appropriate resources.
 - d. If the leave usage is identified as abuse, Human Resources will work with the employee's chain of command to assess appropriate corrective action.
 - e. Human Resources Department shall work as a liaison between the employee, payroll, benefits and outside insurers to communicate employee absences.

IV. Procedural Guidelines

- A. Return to modified or restricted duty procedural guidelines
 - 1. In the event an employee experiences an injury or illness on or off duty a modified duty assignment may be granted. Modified or restricted duty assignments will be assessed on a case-by-case basis upon receipt of satisfactory medical documentation.

- a. Employees shall notify the Director of Personnel Service as soon as practical when in need of a modified assignment. Employees will need to provide satisfactory medical documentation from the treating physician to include date eligible to return to work, specific restrictions pertaining to their primary duty assignment and anticipated duration.
 - b. The Director of Personnel Service will assess the request for modified duty assignment to best accommodate the employee and organization. The Director of Personnel Service will work in conjunction with the employee's chain of command to identify options. Factors that will influence offered assignments include: availability, restrictions, training, and skill required.
 - c. The Director of Personnel Service will review the assignment options with the Chief Deputy or Sheriff and respond to the requesting employee within 2 business days the assignments that are available. The employee and human resources manager will engage in the interactive process until a final decision is reached. The employee may decline available work and remain off work under other leave entitlements. Declination of available work may impact eligibility under other benefits such as worker's compensation, health care insurance, leave accrual and continued employment.
 - d. The Director of Personnel Service will document and communicate the return to work terms for the employee, supervisor and personnel file.
 - e. The employee will be expected to notify the Director of Personnel Service in person or by phone following each medical appointment to reassess the modified assignment.
 - f. Employees on restricted or modified duty will be reviewed weekly by the Sheriff, Chief Deputies and human resources. Upon review, the Sheriff has the discretion including but not limited to: adjusting the employee's pay to that comparable to the work being performed, requesting a second medical opinion at the agencies expense, and engaging in the conversation of potential temporary or total disability options to include termination of employment.
 - g. Employees who are placed in a modified or restricted assignment for 60 or more days will lose any differential pay for work no longer being performed. This will include out-of-class supervisor and training officer pay.
 - h. Employees in need of a permanent assignment change will be assisted by human resources to identify potential current vacancies they are qualified to transition into.
2. Employees will be held to the same performance and code of conduct standards while in a restricted or modified duty assignment. Failure to do so may result in

loss of approved modified or restricted status and/or disciplinary action up to and including termination.

GP 2-95: Promotional Process

Chapter: Staffing Management
Order No: 2018 -03
Effective: 01-25-2015
Revised: 10-17-2023
Approved by: Sheriff Brian Mueller
Reference:
Classification: Public

I. Policy

- A. The Pennington County Sheriff's Office shall establish and maintain a comprehensive promotional process for all employees. The promotional process shall be job related and all candidates shall be provided an equal opportunity to demonstrate his or her fitness for the position through non-discriminatory procedures.

II. Definitions

- A. N/A

III. General Information

- A. The Sheriff, Chief Deputy, Commander or Captain are responsible to oversee the development and implementation of promotional processes of their division under the advisement of the Pennington County Sheriff's Office Human Resources staff.
- B. Human Resources is responsible for coordinating the selection process to include: posting the promotional opportunity job announcement, posting test dates, arranging interview boards, ensuring eligibility, maintaining promotion process records, communicating results, and applying proper county pay policies.
- C. The Training Division is responsible for developing, administering, proctoring and grading any written test.
- D. Promotions are only generally available to full-time benefited personnel.

IV. Procedural Guidelines

A. Eligibility and Selection Process

- 1. Positions of Law Enforcement or Corrections Rank: the following requirements must be met at time of the opportunity announcement to participate in the process. All eligibility requirements may be waived or modified by the Sheriff to allow for the best selection pool.
 - a. Deputy Sheriff II

- 1) The Deputy seeking promotion, must have a total of three years of experience as sworn civilian law enforcement. Deputy II candidates must have served two of the three years as a sworn Law Enforcement Deputy for the Pennington County Sheriff's Office.
- 2) Deputies seeking promotion shall be off probation and in good standing. Deputies with formal disciplinary action will become eligible six months after the issuance of the disciplinary action. Deputies on a Performance or Attendance Improvement Plan will become eligible at the successful completion of the Plan.
- 3) The Deputy seeking promotion must pass a competency exam consisting of law enforcement policy and procedure, laws and ordinances and case law, with a minimum score of eighty percent.
 - a) Deputies not achieving a passing score will be allowed one retest after a 90-day period. If a passing score is not obtained, the Deputy may retest during the next regularly scheduled exam.
- 4) One year of previous, sworn civilian law enforcement experience, experience as a sworn Pennington County Jail or Western South Dakota Juvenile Services Correctional Officer, or Pennington County Transport Officer, may be counted toward meeting this requirement. For purposes of this policy, experience is counted in full years without rounding and prior experience less than twelve continuous months will not be counted.
- 5) Upon successful completion of the above steps, the pay adjustment will take effect the beginning of the pay period following the three years of service anniversary date.

b. Correctional Officer II

- 1) The Correctional Officer seeking promotion, must have a total of three years of experience in Corrections. Correctional Officer II candidates must have served two of the three years as a sworn Correctional Officer for the Pennington County Sheriff's Office.
- 2) Correctional Officers seeking promotion shall be off probation and in good standing. Correctional Officers with formal disciplinary action will become eligible six months after the issuance of the disciplinary action. Correctional Officers on a Performance or Attendance Improvement Plan will become eligible at the successful completion of the Plan.

- 3) The Correctional Officer seeking promotion must complete a set of assigned training modules satisfactorily prior to being promoted.
 - 4) One year of previous experience a Correctional Officer at another facility, as a Pennington County Transport Officer, or other relevant experience may be counted toward meeting this requirement. For purposes of this policy, experience is counted in full years without rounding and prior experience less than twelve continuous months will not be counted.
 - 5) Upon successful completion of the above steps, the pay adjustment will take effect the beginning of the pay period following the three years of service anniversary date.
- c. Sergeant
- 1) The applicant must have four years experience as a certified law enforcement officer for a Law Enforcement Sergeant; or as a Correctional Officer for a Correctional Sergeant. Two years of experience must have been with the Pennington County Sheriff's Office.
 - 2) The Deputy seeking promotion must pass a competency exam consisting of applicable policy and procedures, laws and ordinances and supervisory skills and topics, with a minimum score of eighty percent.
 - 3) Previous experience in the appropriate (same) career field will be calculated by the number of full years completed at the other agency or facility to meet the overall tenure requirements.
- d. Lieutenant
- 1) The applicant must have seven years experience as a certified law enforcement officer for a Law Enforcement Lieutenant; or as a Correctional Officer for a Correctional Lieutenant. Five of the seven years must have been with the Pennington County Sheriff's Office.
 - 2) Previous experience in the appropriate (same) career field will be calculated by the number of full years completed at the other agency or facility to meet the overall tenure requirements.
- e. Captain
- 1) The applicant must have ten years experience as a certified law enforcement officer for a Law Enforcement Captain; or as a correctional officer for a Correctional Captain. Seven of the ten years must have been with the Pennington County Sheriff's Office.

- 2) Previous experience in the appropriate (same) career field will be calculated by the number of full years completed at the other agency or facility to meet the overall tenure requirements.

2. Civilian Employees

- a. Employees seeking career advancement in civilian roles within the Pennington County Sheriff's Office are eligible to apply for any opportunity they are qualified for following the completion of their 12-month probationary period.

B. Promotion Procedures

1. Application

- a. All positions will be announced by Human Resources. Interested applicants for Deputy Sheriff II or Correctional Officer II, who meet the minimum requirements will submit a letter of interest. Interested applicants for Sergeant or higher positions, who meet the minimum requirements will complete an application through the Pennington County online application software.
- b. Employees are encouraged to outline their current assignment, previous experience, ancillary roles, military service and community engagement activities within their application materials. Applications may require a resume submission.
- c. Consideration for promotion will only occur for applicants who submit the appropriate letter of interest or application after an opening or testing announcement.

2. Supervisor Recommendation

- a. All positions will require a letter of recommendation from their immediate supervisor.
- b. All letters of recommendation will be typed and submitted to Human Resources through the appropriate form in CentralSquare.

3. Written Exams

- a. Written exams will be created, reviewed and amended by the Training Division after consultation with the various divisions the test questions cover. Testing will occur once annually and as needed based on staffing needs.
- b. Deputy Sheriff II: Deputies who will meet eligibility requirements in the following calendar year are encouraged to apply. To give sufficient study time, written exams should be administered about 30 days later.

- c. Sergeant exam scores will be tallied with interview panel scores to establish an overall candidate ranking.

4. Interview Panels

- a. All promotional positions, Sergeant and higher, will include a panel interview. Interview panels should consist of at least four members with one being from an outside entity and one from outside the applicants' chain of command.
- b. Interviews will be scored based on a matrix consisting of a higher point value than that of a required written exam.

5. Personnel File Review

- a. Candidate personnel files will be reviewed as part of the selection process. Relevant information documented in performance reviews, longevity, ancillary duties, experience, disciplinary actions, performance or attendance improvement plans may impact selection.

6. Eligibility Lists.

- a. Following the ranking of candidates for Sergeant or higher, an eligibility list may be established for one year, or until another testing occurs. Applicants are not guaranteed placement on an eligibility list. Applicants may or may not be advised of their ranking on the eligibility list, but they shall be informed if they placed on the list or not.

7. Pay Adjustments

- a. Promotional or reclassification pay will be assessed under Pennington County Pay Policy guidelines. All employees will receive an offer memo detailing their position change, effective date, and wage adjustment.

8. Unscheduled Testing

- a. The Sheriff may authorize unscheduled promotional and testing opportunities or modify the eligibility requirements, based on staffing needs or the exhaustion of an eligibility list.

C. Training Procedures

1. Following the selection into a supervisory role, training staff will ensure the new supervisor is enrolled in any applicable, supervisory trainings. This may include relevant in-person courses, online courses, outside trainings, or supervisory mentoring.
2. When possible, promotion transfers should provide sufficient time to complete existing obligations, such as assigned cases. Communication between Division Supervisors should occur to provide for a timeline and smooth transition.

D. Recognition

1. Employees selected will be recognized during the quarterly employee recognition ceremony.

GP 2-100: Secondary Employment

Chapter: Staffing Management

Order No: 2015-03

Effective: 12-19-2012

Revised: 09-02-2020

Approved by: Sheriff Kevin Thom

Reference:

Classification: Public

I. Policy

- A. The Pennington County Sheriff's Office requires all employees to obtain written consent of the Sheriff or Chief Deputy before engaging in secondary employment. Secondary employment that brings the office into disrepute or impairs the operation or the efficiency of the office or employee will not be authorized.

II. Definitions

- A. **Secondary Employment:** Any work for material value, including self-employment that is not assigned by the office. Secondary employment does not mean work performed as a volunteer for a service club, school or other similar entity.
- B. **Special Law Enforcement Work:** Secondary employment involving the use of law enforcement authority to include Reserve Law Enforcement Officer Positions.
- C. **Non-Law Enforcement Work:** Secondary employment not involving the use of law enforcement authority.

III. General Information

- A. The nature of work at the Pennington County Sheriff's Office requires employees to have the ability to work irregular duty schedules that are subject to change in order to meet staffing needs. Additionally, it is necessary that an employee have adequate rest to be alert during their assigned shift. Since certain occupations inherently conflict with an employee's primary responsibility to the community, the office may impose conditions on secondary employment or may prohibit it altogether.
- B. **General Regulations:**
 - 1. Employees may be permitted secondary employment, providing the employment will not interfere with the efficient performance of their regular duties.
 - 2. Secondary employment will not be approved for any employee whose sick record indicates a lack of strength or stamina necessary to sustain a secondary job.

3. Employees may not use any Pennington County issued equipment or uniforms while engaged in secondary employment.
4. Employees off duty due to illness or injury or on restricted status must obtain written permission to perform secondary employment while in that status. This approval is in addition to the initial approval to participate in secondary employment.
5. Secondary employment will not be authorized when it conflicts with law enforcement ethics or raises a question of a conflict of interest.
6. Employees engaged in secondary employment are subject to all rules and procedures of the office.
7. During special events such as the Sturgis Motorcycle Rally and/or emergency situations, the Sheriff may restrict any approved secondary employment activities due to staffing needs.
8. Provisions of secondary employment will not relieve any employee from the responsibility of being available and responding to a call for active duty by the office at any hour; including short-notice call-up to work an overtime shift for the Sheriff's Office.
9. Entry level employees will not be permitted to perform secondary employment prior to completing their initial training and one-year probationary period except by written waiver of the Sheriff or Chief Deputy.

C. Special Law Enforcement:

1. Employees will not be permitted to perform special law enforcement work in any establishment selling or dispensing any alcoholic beverage or where any bingo, raffle games, gambling or video lottery are held without specific written approval from the Sheriff or Chief Deputy. This approval is in addition to approval to participate in secondary employment.
2. Employees will not perform special law enforcement work, such as a watchman or guard, on any project or at a business where there is a labor dispute or strike.
3. Employees performing special law enforcement work will be bound by law for the enforcement of the enacted ordinances and laws. This does not extend to the enforcement of rules made by or in the interests of management of the secondary employment.
4. Employees engaged in special law enforcement work may not work in Pennington County Sheriff's Office uniform and/or utilize department issued equipment.
5. Employees authorized to perform special law enforcement work will be responsible for properly advising their employer of the office policy and liabilities regarding secondary employment.

D. Non-Law Enforcement Work:

1. Permission will be granted for non-law enforcement work in the same manner as special law enforcement.

E. Part-time Employees:

1. Part-time employees of the Sheriff's Office who work full or part-time for other employers are not required to submit a secondary employment request. If there are questions regarding conflicts of interest, employees are encouraged to ask. If there are concerns, the Sheriff or designee will communicate with that employee based on the individual situation.

IV. Procedural Guidelines

A. Secondary Employment Procedure -- All employees desiring secondary employment will comply with the following procedure:

1. Any employee requesting approval for secondary employment will submit the request in writing to their immediate supervisor. The request should summarize the nature of secondary employment, and an estimate of the amount of time to be worked.
2. The immediate supervisor will review the request with the division captain, commander, or director. The following factors will be considered at this level:
 - a. Nature of secondary employment.
 - b. Employee training and probationary status.
 - c. Employee's work performance.
3. If the division captain, commander or director chooses to endorse the request, they shall draft a memo of support and forward to the appropriate Chief Deputy or Sheriff for final consideration. If they choose to deny the request, they shall forward a corresponding memo to the Chief Deputy or Sheriff for review.
4. The Chief Deputy or Sheriff will approve or deny the request in writing to the employee and forward a copy to their personnel file for tracking purposes.
5. Employees are required to re-submit requests for secondary employment on an annual basis for consideration and tracking purposes. These renewal requests should be made annually between January 1 - 30th each subsequent year.
6. A new request must be submitted to work secondary employment whenever there is a change in the nature of the type of company, change of ownership, or change in job duties which might affect permission.
7. All employees with secondary employment will provide to their immediate supervisor an accurate and complete schedule of hours to be worked on a regular basis.

8. Failure to provide the notifications required in this policy may result in the loss of permission to perform secondary employment.

B. Civil Liability While Performing Special Law Enforcement:

1. The County will not accept liability for employees who are employed by someone other than the County.
2. Employees incurring an injury which is not the result of an official law enforcement action while engaged in secondary employment will be responsible for reporting the injury directly to the State Division of Labor or the insurer of the employer. This report will not be processed through the Sheriff's Office. All such injuries will be considered by the office as an injury not in the line of duty and the employee's absence will be deducted from their accumulated sick leave. Upon use of accumulated sick leave, additional absence from duty will not be compensated by salary.
3. If the injury is the result of an official law enforcement action taken during the course of the secondary employment, the reporting requirements for "on duty" injury will apply.
4. A written waiver of liability may be required prior to engaging in secondary employment.

C. Revocation of Approval for Secondary Employment:

1. Approval for secondary employment may be revoked by the Sheriff or designee for the following reason(s):
 - a. An unsatisfactory performance evaluation.
 - b. An unsatisfactory sick leave record.
 - c. When the secondary employment physically and/or mentally exhausts an employee to the point where job performance is affected.
 - d. Compromises the integrity of the office or the employee.
 - e. When the secondary employment brings the office into disrepute or impairs the operation or the efficiency of the office or employee.

D. Off-Duty Enforcement Actions:

1. Whenever possible, off-duty employees observing serious incidents, will refer those incidents to an on-duty employee. Where the incident requires immediate enforcement action, the off-duty deputy will respond with the appropriate action.
2. Off-duty employees are strongly discouraged from taking any enforcement action unless they have in their possession a sidearm, their badge/I.D, and the means to contact the Emergency Communications Center immediately available.

3. Off-duty employees will relinquish control of any enforcement action to the first on-duty employee arriving on scene.
4. Employees involved in an off-duty enforcement incident will complete the required reports and will be compensated in accordance with normal accounting procedures.

GP 2-110: Affirmative Action and Equal Employment Opportunity

Chapter: Staffing Management

Order No: 2015-03

Effective: 05-12-2015

Revised: 03-19-2020

Approved by: Sheriff Kevin Thom

Reference:

Classification: Public

I. Policy

- A. The Pennington County Sheriff's Office will treat each person with respect, dignity, and integrity and utilize fair employment practices in all phases of the employer-employee relationship.

II. Definitions

- A. N/A

III. General Information

- A. N/A

IV. Procedural Guidelines

- A. **Affirmative Action and Equal Employment Opportunity:** It is a matter of National policy and law to provide citizens with equal employment opportunity. The Civil Rights Act of 1964, as well as the Americans with Disabilities Act, provides the legal basis for equal employment opportunity to all without regard to race, color, religion, sex, age, national origin or handicap status.

B. Equal Employment Opportunity Plan

1. All Pennington County Sheriff's Office recruiting shall be administered and conducted within the spirit and scope of Pennington County's Equal Employment Opportunity Commitment.
2. The Director of Personnel Services shall ensure that the annual written Recruitment Evaluation Report contains an assessment of the applicability of the Equal Employment Opportunity Plan, and an analysis of recommendations for improvement.

C. Minority Ratio and Affirmative Action:

1. The components of the Pennington County Sheriff's Office's Equal Employment Opportunity Plan include the following key features designed to assure equal

opportunities for employment and employment conditions for all protected groups.

2. The components of the Equal Employment Opportunity Plan are:
 - a. Establishment of Policy: The Sheriff intends that this directive shall serve as a clear and unequivocal policy establishing the Pennington County Sheriff's Office as an Equal Opportunity Employer and shall establish related policies in reference to affirmative action and recruitment, as well as sexual harassment.
 - b. Practices and Procedures: The Sheriff shall insure that written directives identifying practices and procedures relative to recruitment, selection, equal employment opportunity, affirmative action and sexual harassment are prepared and made available to all personnel.
 - c. Affirmative Action Plan: The Office will regularly monitor the composition of its work force as it compares to the percentage of minorities and other protected groups in the general population of Pennington County.
 - d. Systematic Review: There shall be ongoing review and reporting of equal employment, affirmative action and recruitment practices and procedures as provided for in this policy.
 - e. Complaint resolution:
 - 1) No employee of the Pennington County Sheriff's Office shall discriminate against any other employee or applicant for employment with the Pennington County Sheriff's Office on the basis of race, color, religion, sex, age, national origin or handicap status.
 - 2) Any employee who is aware of or who has been a victim of such discrimination shall immediately report any violations to their immediate supervisor, Law Enforcement Captain, Chief Deputy, or the Sheriff.
 - 3) Applicants for employment may file complaints of discrimination by the Sheriff's Office. These complaints can be filed with the Sheriff.
3. Complaints of discrimination against the Sheriff's Office shall be handled as provided for in Chapter 332-01 "Grievances" or in GP 3-30 "Sexual Harassment, Sex Discrimination."

GP 3-10: Personal Appearance

Chapter: Employee Conduct and Professionalism

Order No: 2019-06

Effective: 12-19-2012

Revised: 11-15-2023

Approved by: Sheriff Brian Mueller

Reference:

Classification: Public

I.

- A. It is important for anyone representing the Pennington County Sheriff's Office to present themselves in an appropriate, professional manner. Uniformity of appearance supports a positive image and allows Pennington County Sheriff's Office representatives in uniform or standardized dress to be readily recognizable to the public.

II. Definitions

- A. N/A

III. General Information

- A. When representing the Sheriff's Office, personal appearance will not include any item of clothing, emblem or symbol that represents vulgarity, is sexually harassing or suggestive, or may be considered disrespectful to another race or gender. Clothing may not display illegal substances, alcoholic beverages, or tobacco products.

IV. Procedural Guidelines

A. All Employees:

1. Hair: Must be neat, clean, of a natural color, and worn in a manner that would not create a safety hazard or would be repugnant to the general public.
2. Hairstyles: Hair must be clean and neat in both cut and style. Hair is to be worn so that it does not detract from the appearance of the uniform.
 - a. Males: The hair may not cover any part of the uniform shirt collar when the employee is standing straight up looking straight ahead. Hair may cover a small portion of the top of the ear. Ponytails are not acceptable.
 - b. Uniformed Females, including Law Enforcement, Transport and Correctional Officers: Hair is not to fall below the top of the shoulders. Long hair is to be worn up to where it does not fall below the top of the uniform shirt collar. Ponytails, braids or other hair styles that extend beyond the top of the shoulders in a loose fashion are not allowed.

Females should use good discretion with any hair style that presents a potential safety risk to themselves when dealing with combative subjects.

3. Male Facial Hair: Any facial hair must be of natural hair color.
 - a. Goatees: Male employees may have neatly trimmed goatees, full in appearance, which will not exceed three quarters of an inch in length and thickness. The width of the goatee will not extend more than one half inch past the corner of the mouth on each side and will not extend more than one inch past the chin onto the neck.
 - 1) No specialty grooming will be allowed, i.e., soul patch, pencil lined goatees.
 - 2) Goatees without mustaches or beards are allowed.
 - b. Mustaches: Male employees with a mustache must keep it neatly trimmed. The sides may extend to the imaginary line of the bottom lip. The width of the mustache will not extend more than one half inch past the corner of the mouth on each side. The mustache length will not extend past the upper part of the lip.
 - 1) Handlebar and Fu Manchu mustaches are not authorized.
 - c. Sideburns: Male employees with sideburns must keep them neatly trimmed and may extend to the base of the ear. Sideburns are to be trimmed horizontally. Sideburns are not to be over one-half times the width of the sideburn at the top of the ear.
 - d. Beards: Male employees who choose to grow a beard must keep it well-kept and neatly trimmed. Beards are to be a minimum of one-eighth inch in length and not to exceed one half inch in length in any direction. Beards may not extend below the adams apple. No part or section may be noticeably longer than the rest.
 - 1) Patchy or spotty clumps are not a beard and are not allowed. The beard growth must be continual. The beard must include a mustache.
 - e. The growing of any facial hair shall not interfere with the wearing of a Self-Contained Breathing Apparatus (SCBA) or any other specialized equipment required for the performance of any special duties.
 - f. The final approval of all facial hair will be at the discretion of the Sheriff or Chief Deputy.
4. Fingernails: Should be well groomed. If polish or other decorations are worn, such should not detract from the professional image of the Sheriff's Office.
5. Footwear: Will complement the attire worn. Shoes must be clean, polished, in good condition, and be appropriate for the workplace and activities performed.

Canvas shoes are acceptable but must be clean. When any portion of the foot is exposed, such will be well groomed. Athletic shoes are not permitted.

6. Female Jewelry or Body Piercing: Rings, bracelets, necklaces, earrings, and a small stud in one nostril are permitted as long as they are not considered to be unsafe to the performance of duty and maintain the professional image of the organization.
 - a. With the exception of two or fewer pairs of earrings, and or one small stud in the nostril, objects inserted into an exposed body part are strictly prohibited while on duty or representing the Sheriff's Office.
 - 1) Examples of body parts include tongue, lip, or eyebrow.
 - 2) Examples of objects include jewelry, rings, posts, string, straw, toothpick material, or expanders.
 - 3) Determination of the appropriateness of nostril piercing will be at the discretion of the Sheriff or Chief Deputy
7. Tattoos and Body Art: Tattoos or body art that are visible while representing the Sheriff's Office in your position's approved work attire may be allowed with approval from the Chief Deputy or Sheriff.
 - a. When visible, tattoos or body art must not detract from the organization's professional image. Representatives of the Sheriff's Office are prohibited from exposing obscene, sexual, racial, or otherwise offensive symbols, language, or images.
 - b. Tattoos or body art located on the face, neck, head, hands, and fingers are prohibited unless approved by the Sheriff or Chief Deputy. Tattooed wedding rings are allowed.
 - c. Employees electing to add tattoos or body art in a location that will be visible in any approved work attire will be required to submit a request to their Chief Deputy prior to obtaining.
 - d. Determination of the appropriateness of and acceptable coverings for such tattoos or body art will be at the discretion of the Sheriff or Chief Deputy.

GP 3-11: Property, Uniforms and Equipment

Chapter: Uniform and Equipment
Order No: 2019-5
Effective: 11-15-2019
Revised: 09-09-2020
Approved by: Sheriff Kevin Thom
Reference:
Classification: Public

I. Policy

- A. This policy establishes accountability and procedures to follow in regards to uniforms issued and in the event of lost, stolen or damaged office-issued equipment or uniforms.

II. Definitions

- A. N/A

III. General Information

- A. Any time an employee is performing duties where they may be identified or perceived as a representative of the Sheriff's Office, compliance with the dress code as described below or as appropriate to the situation or circumstance is required. All court appearances will be in Uniform/Standardized Dress or professional attire. Any and all exceptions to this policy must be approved by the Sheriff.
- B. Employees should immediately report to their Supervisor, Sergeant or above, any loss or damage of office property issued or used by them. The Supervisor, will if possible, correct the deficiency and notify the Division Commander of any action taken through the following guidelines.

IV. Procedural Guidelines

A. All Employees

- 1. Responsibility for equipment – It is the responsibility of the employee to handle all issued equipment or uniforms in such a manner as to prevent loss, theft or damage.
 - a. Employees may be financially responsible for equipment or uniforms if lost, stolen or damaged as a result of negligence, carelessness, and/or inattentive or intentional circumstances. Also, if the employee fails to return issued equipment or uniforms when the employee voluntarily or involuntarily leaves the Sheriff's Office.
 - b. Issued equipment or uniforms, unless authorized by a Captain, will not be loaned.

2. Stolen or vandalized equipment – Stolen or vandalized issued equipment or uniforms will be reported to the employee’s Supervisor, Sergeant or above. A crime report will be completed with the agency having jurisdiction. If reported in another jurisdiction, a copy of the initial report will be attached to Office paperwork.
3. Damaged or lost equipment – Damaged or lost issued equipment or uniform items will be reported to the employee’s Supervisor, Sergeant or above. A report will be completed outlining the details.
4. Worn out equipment - Replacement of worn-out issued items will be handled on a case-by-case basis. Staff will present worn-out items to a supervisor, Sergeant or above, or administration for a replacement decision. Reimbursement for required personal property damaged or lost in the performance of duty must be authorized by the Sheriff. A maximum value for watches shall be \$50.00 or actual value, whichever is less. Any claims for damage to eye glasses or watches caused by the performance of duty, shall be made in writing to the employee’s supervisor, Sergeant or above, prior to the termination of the employee’s current shift and be included in the incident report. Clothing and equipment items provided for wear and use on-duty are county property. These items will be returned to administration upon termination of employment.

B. Non-Uniformed Personnel:

1. Non-uniformed personnel are defined as those employees not issued uniforms (such as uniformed personnel) or specific clothing of any sort to wear on a regular basis (such as standardized dress employees). Non-uniformed personnel are therefore fully responsible for meeting the expectations of the following guidelines.
2. The Division Commander or Director is responsible for determining the dress category (professional or business casual) appropriate for a particular job classification and the dress requirements of some specialized employees, such as those performing technical, mechanical, or drug task force roles.
 - a. Professional: Male professional attire includes either a business suit with a dress shirt and tie, sports coat and slacks with a dress shirt and tie, or a dress shirt with slacks. Female employees are required to wear professional attire. Coverage of the midriff section is mandatory and dresses/skirts may not be shorter than three inches above the knee. Shorts and sweatshirts are not permitted for either male or female employees.
 - b. Business Casual: Business casual attire is authorized when professional attire is not necessary. For some employees, this is day-to-day attire. For employees usually in professional attire, business casual is appropriate for travel, certain training/seminars or whenever “casual” dress is stipulated and a person is representing the Sheriff’s Office.

- 1) Business casual attire is described for males as a collared shirt, to include pull over type polo shirts or standard button front shirts, and slacks or khaki pants. For females, attire that parallels the male business casual description is appropriate. T-shirts, sweatshirts, jogging suits, blue jeans, shorts, or athletic attire are not acceptable.
 - c. Casual Fridays: Where approved by the Division Commander or Director, specified employees may take part in "casual Friday." For all eligible employees, jeans may be worn if clean and in good condition. Good condition is defined as no holes, tears or faded jeans. Clothing that contains an approved PCSO or division-specific logo may also be worn, including sweatshirts and T-shirts.
3. Clothing Allowance for Designated Personnel: Designated personnel required to wear Professional or Business Casual Attire for duty will receive a uniform allowance annually in the amount set by Administration. Those who accept this assignment for only a portion of the year will receive a pro-rated amount of the annual allowance.
- a. Items authorized for purchase:
 - 1) Professional or business casual male staff: Business suits, dress shirts, slacks, ties, sports coats. Shirt with collar to include pull over type polo shirts or standard button front shirts, sweaters and overcoat (trench coat style).
 - 2) Professional or business casual female staff: Appropriate attire which parallels the requirements of the Formal Business Dressed Staff Male. Skorts must be of the loose "culottes" type.
 - 3) Drug investigator exception: Blue jeans, casual shirts, and outer jacket/coat are authorized as part of this allowance. The total purchase of this type of clothing will not exceed 50% of the issued annual allowance.
 - b. Items not authorized for purchase: Expenses related to the purchase of shoes, socks, belts, undergarments, gloves, outer jacket/coat, T-shirts, sweatshirts, jogging suits, blue jeans, shorts, or athletic attire will not be reimbursed.
 - c. Receipt submission: Personnel will purchase the clothing items and then turn receipts in for reimbursement. Clothing receipts will be turned in to the designated supervisor at each division for review and approval. Once the receipt is approved and signed by both the supervisor and person requesting the reimbursement, it will be forwarded to the Accountant. For reimbursement within the same month, the receipt needs to be turned in on the first day of the month. Any receipts turned in after the first day of the month will be reimbursed the following month.

C. Uniformed / Standardized Dress Personnel:

1. Uniformed / Standardized dress personnel include those who are issued any part of clothing that is expected to be worn while on the job. Examples include civil deputies, transport officers, court house security guards, deputy sheriffs, 24/7 techs, med techs, para-medics, mental health counselors, CO techs, correctional officers, detox technicians, teachers, nurses, and custodial staff. Decisions regarding the style, color, quality, and function of issued clothing are the responsibility of the Division Commander or Director with oversight from the Sheriff.
2. While performing work-related physical activity (testing, training, etc.), sweat suits, shorts, and athletic attire is appropriate if clothing is clean, neat, and adequately covers the body. Clothing appropriate for shooting range or special response team training may include blue jeans, BDU's, and utility clothing provided such is neat and clean.
3. Uniformed / Standardized dress employees should be consistent in appearance and readily identifiable. The authorized uniforms and standardized dress of the various Divisions will consist of and be worn according to the specifications outlined in Appendices A (Standardized Dress Employees) and B (Uniformed Employees).
4. Personnel who are designated to wear a uniform or standardized dress will do so during their scheduled work time. Up to three sets of uniforms or standardized dress items will be provided. It is the employee's responsibility to maintain all uniforms and equipment in good order and request replacement of any item that may be damaged or unserviceable.
5. Staff must recognize that wearing of distinctive uniform/standardized dress items during off hours draws attention and creates expectations of the public. Wearing of such apparel in certain circumstances or during certain activities is inappropriate.
6. Please see Appendix A and B: Standardized/ Uniformed Employees

D. Other: Contractors, volunteers, work-study students, and visitors must comply with contractual agreements or other written guidelines (where applicable). The Division Commander or Director may, at their discretion, deny entry to the facility when appearance is deemed inappropriate.

GP 3-11 Appendix A: Standardized Dress Employees

- I. The general guidelines provided in the general section of the personal appearance policy, including hair, facial hair, fingernails, footwear, jewelry or body piercings, and tattoos and body art, apply fully to standardized dress employees. Additionally, the following guidelines are to be followed.
 - A. Footwear for standardized dress employees:
 - 1. No portion of the foot may be exposed
 - 2. Where specified, leather athletic or tennis-type shoes are allowed
 - 3. Footwear should be chosen with safety and clean-up in mind
 - B. Maintenance staff: Uniforms for maintenance staff will be a standardized work shirt with logo. Nametag will be provided. Clean black workpants, in good repair will complement the standardized shirt along with belt, flashlight, flashlight holder and key clip. Blue jeans are not appropriate.
 - C. Medical staff: Medical Staff, Nurses, Med Techs, and Para-medics are issued scrubs, tops and jacket embroidered with a PCSO Medical Logo and pants. Athletic or tennis-type shoes that are white or complimentary to the uniform color are permitted.
 - D. Mental Health Counselors and Teachers: Mental Health Counselors will be required to wear the agency provided shirt labeled with Mental Health and the Sheriff's Office star. Mental Health Counselors will be required to wear uniform pants issued by the agency. Teachers will be required to wear the agency provided shirt with the Sheriff's Office star.
 - E. 24/7 Techs: Technicians will be required to wear an agency provided ID badge and designated shirt (that includes the 24/7 logo), both provided by the agency. Employees can wear pants or full-length blue jeans in good condition. Good condition is defined as no holes, tears or faded jeans. Female employees may wear skirts of an appropriate length (not shorter than three inches above the knee). Clothing choices must not detract from a professional image expected of Sheriff's Office employees.

GP 3-11 Appendix B: Uniformed Employees

- I. Uniformed Employees:** The general guidelines provided in the general section of the personal appearance policy, including hair, facial hair, fingernails, footwear, jewelry or body piercings, and tattoos and body art, apply fully to uniformed employees. Additionally, the following guidelines are to be followed.
- A. Footwear:
1. Boots, plain toe shoes, or leather tennis type shoes. Footwear must be black smooth leather and shined to a high luster. The style shall be approved by the Sheriff.
 - a. JSC and Addiction Services: Footwear must be non-marring to gym/recreational floors and provide good grip and traction.
 - b. Law Enforcement: The wearing of insulated boots during cold and/or inclement weather is authorized.
 2. Black or white socks (black to be worn when foot apparel allows visibility of socks).
- B. Jewelry: Jewelry is permitted to be worn with the uniform, however, it is discouraged as excessive or dangling jewelry is potentially dangerous. Loss or damage of jewelry will not be reimbursed. The following is authorized.
1. One finger ring each hand (wedding set)
 2. Tight fitting bracelet without trinkets
 3. Necklaces when fully concealed under clothing
 4. Post earrings (females)
- C. Uniformed Personnel Insignia of Rank: The Pennington County Sheriff's Office insignia of rank shall be worn with the following specifications when uniforms are worn. Measurements mirror specifications utilized by the military and are included here as a general guideline.
1. Insignia of Ranks include:
 - a. The Sheriff will wear insignia of rank when wearing a Law Enforcement uniform.
 - b. The Chief Deputies will wear insignia of rank when wearing a Law Enforcement, Jail, or Juvenile Services Center uniform.
 - c. A Major will wear insignia of rank when wearing a Law Enforcement uniform.

- d. A Commander will wear insignia of rank when wearing a Jail or Juvenile Services Center uniform.
 - e. A Captain will wear insignia of rank when wearing a Law Enforcement uniform.
 - f. A Lieutenant will wear insignia of rank when wearing a Law Enforcement, Jail, or Juvenile Services Center uniform.
 - g. A Sergeant will wear insignia of rank when wearing a Law Enforcement, Jail, or Juvenile Services Center uniform.
 - h. A Corporal will wear insignia of rank when wearing a Law Enforcement, Jail, or Juvenile Services Center uniform.
 - i. A Senior Deputy / Correctional Officer II will wear insignia of rank when wearing a Law Enforcement, Jail, or Juvenile Services Center uniform.
 - j. A Field Training Officer will wear insignia of rank when wearing a Law Enforcement, Jail, or Juvenile Services Center uniform.
 - k. A Deputy will wear insignia of rank when wearing a Law Enforcement uniform.
 - l. A Correctional Officer will wear insignia of rank when wearing a Jail or Juvenile Services Center uniform.
2. Regulation Shoulder Patches: Patches on each sleeve of all uniform jackets and shirts are worn one-half inch below the shoulder seam, centered on the military crease.
3. Official Badge: The official badge of the Office is worn on the uniform shirt over the left breast. Employees wearing a uniform jacket with badge or embroidered insignia as the outermost garment will have satisfied the above requirement.
- a. Sheriff: One gold star to be worn on the shoulder epaulet of the uniform jacket parallel to the sleeve seam and 1/2" in from the outer shoulder seam. On the uniform shirt, the gold star is to be positioned approximately 1" in from the top of the collar.
 - 1) Gold Star on collar of uniform shirt or dress shirt and epaulets of jacket
 - 2) Sheriff Badge
 - b. Chief Deputy: One gold eagle to be worn on the shoulder epaulet of the uniform jacket parallel to the sleeve seam and 1/2" in from the outer shoulder seam. On the uniform shirt, the gold eagle is to be centered diagonally at tip of the collar.

- 1) Gold Eagle on collar of uniform shirt or dress shirt and epaulets of jacket
 - 2) Chief Deputy Badge
- c. Major and Commander: One raised gold metal oak leaf cluster or embroidered oak leaf cluster, to be worn on the shoulder epaulet of the uniform jacket parallel to the sleeve seam and 1/2" in from the outer shoulder seam. On the uniform shirt, the miniature oak leaf clusters are to be positioned approximately 1" in from the top of the collar with the stem of the leaf pointed towards the point of the collar.
- 1) Oak Leaf Clusters on collar of uniform shirt or dress shirt and epaulets of jacket
 - 2) Major or Commander Badge
- d. Captains and Lieutenants: One raised 1" gold metal or embroidered Captains bars or Lieutenants bar, to be worn on the shoulder epaulet of the uniform jacket parallel to the sleeve seam and 1/2" in from the outer shoulder seam. On the uniform shirt, the miniature bars shall be positioned parallel to the seam stitching on the leading edge of the collar and approximately 7/8" down from the top of the collar.
- 1) Captain:
 - i. Double Gold Bar on collar of uniform shirt or dress shirt and epaulets of jacket
 - ii. Captain Badge
 - 2) Lieutenants:
 - i. Single Gold Bar on collar of uniform shirt or dress shirt and epaulets of jacket
 - ii. Lieutenant Badge
- e. Sergeants: Chevrons on each sleeve of all uniform jackets and shirts shall be worn point to point immediately below the shoulder patch.
- 1) Gold Sergeant Chevrons on sleeve of uniform shirt and jackets
 - 2) Sergeant Badge
- f. Corporals and Senior Deputies: Chevrons on each sleeve of all uniform jacket and shirts shall be worn point to point immediately below the shoulder patch.
- 1) Corporal

- i. Gold Corporal Chevron on sleeve of uniform shirts and jackets (diamond below Chevron for LE)
 - ii. Corporal Badge
 - 2) Senior Deputy
 - i. Gold Corporal Chevron on sleeve of uniform shirts and jackets
 - ii. Deputy Badge
- g. Field Training Officer:
 - 1) FTO Collar Brass
 - 2) Correctional Officer or Deputy Badge
- h. Deputy:
 - 1) Deputy Badge
- i. Correctional Officer:
 - 1) Correctional Officer Badge
- j. Court House Security Guard / Transport Officer:
 - 1) Security Badge

D. Correctional Officers / Booking Techs / Control Room Operators: Uniforms and equipment provided and requires (as applicable).

1. Black standard uniform trousers / cargo pants.
2. Uniform shirt as issued with office or facility logo or office shoulder patches and badge. Long sleeve and short sleeve. CO shirts tan; BT and CRO shirts blue.
3. The top button of the shirt is to be unbuttoned to present a neat open-collar appearance and the shirt tucked into trousers/pants at all times.
4. Standardized jacket with logo or office shoulder patches and badge to be worn in conjunction with the uniform only. CO's, BT and CRO.
5. Name tag (to be worn on uniform shirt or jacket above the right pocket so that the bottom of the name tag rests on the top edge of the pocket flap and the name tag itself is centered on the military crease or center of pocket).
6. Office and recognition and specialty pins / patches as authorized by the Commander. To be worn above name tag, right side.
7. CO Badge (PCJ), Booking Tech Badge (PCJ), Operating Room Tech Badge (JSC)

8. Blue or black ink pen
 9. Black leather belt: Jail CO, JSC CO, BT, CRO, and EMT
 - a. Flashlight holder: Jail CO, JSC CO
 - b. OC holder: Jail CO, JSC CO
 - c. Radio holder, Jail CO, JSC CO
 - d. Glove holder; Jail CO, JSC CO
 - e. Key holder/clip: Jail CO, JSC CO, BT
 - f. Handcuff case: Jail CO, JSC CO
 - g. CPR mask holder (JSC)
 - h. Pipe (CW tool) holder (JSC)
 - i. Duty belt: JSC CO
 - j. Belt keepers: JSC CO
 10. Mini flashlight: Jail CO, JSC CO, and EMT
 11. Issued chemical spray (Oleoresin Capsicum or equivalent): Jail CO, JSC CO
 12. Issued radio and clip / shoulder microphone holder: Jail CO, JSC CO
 13. Serviceable protective gloves: Jail CO, JSC CO
 14. Handcuffs: Jail CO, JSC CO
 15. Tie: Jail CO, JSC CO, BT, CRO: (To be worn with long sleeve shirt only)
- E. **Mandatory equipment provided by all uniformed JSC and Jail Staff:** Uniformed employees must wear the following (not provided by the Office):
1. Black t-shirt
 2. Serviceable watch
- F. **All Jail and JSC Staff – Unauthorized Equipment:** With the exception of issued equipment, staff will not carry any item which may be classified/identified as any type of weapon. Staff will not possess unapproved items or wear unapproved clothing when supervising inmates, while transporting/escorting inmates within the facility or to outside locations, or while transitioning through inmate identified areas of the facility (occupied or unoccupied).
- G. **Required Uniform and Equipment for Uniformed Deputy Sheriffs:** Uniforms and equipment provided and required for uniformed Deputy Sheriffs are as follows:

1. Black uniform trousers/cargo and dress
2. Tan uniform shirt (summer and winter) with tan buttons, office shoulder patches, service emblems and rank insignia. Choice of regular summer and winter uniform shirts: One regular summer and two summer polo shirts; One regular winter and two winter polo shirts. The polo shirts will be worn under the external load bearing vest carrier. The polo shirts will not be worn without the external load bearing vest carrier.
3. Black four-in-hand tie with safety release (to be worn with long sleeve shirt only)
4. Black uniform jacket (summer or winter weight) with badge, office shoulder patches, service emblems, and ranking insignia
5. Raincoat/jacket (yellow)
6. Black patrol rain pant
7. Office badge (2)
8. Metal name tag (to be worn on uniform shirt or jacket above the right pocket so that the bottom of the name tag rests on the top edge of the pocket flap and the name tag itself is centered on the military crease)
9. Black leather gear (basket weave)
 - a. Authorized firearm holster
 - b. Double magazine pouch
 - c. Duty belt: choice of regular basketweave leather or nylon basketweave with snap closure.
 - d. Handcuff case
 - e. Flashlight holder
 - f. OC holder
 - g. Radio holder
 - h. Belt keepers
 - i. Inner belt
10. Authorized firearm and ammunition
11. Portable radio / battery / radio charger / shoulder mic
12. Rechargeable flashlight

13. Handcuffs and keys, two sets
14. Chemical spray (Oleoresin Capsicum or equivalent)
15. Office keys
16. Soft body armor
17. Summons holder
18. Identification card
19. Black-ink pen
20. Digital camera with one memory cards / camera case
21. Two hats will be issued:
 - a. Ball cap with subdued "Sheriff" insignia may be worn during special circumstances. These may include:
 - 1) Working the Central States Fair
 - 2) Working in the rain
 - 3) Working for extended time in the sun
 - 4) Working foot patrol in normal day to day activities
 - 5) This hat will NOT be worn for normal day to day activities
 - b. Ball cap with florescent (Sheriff" insignia may only be worn during special events while wearing the special duty florescent polo shirt.
 - c. No other hat is authorized unless approved by the Sheriff or his designee.
 - d. Traffic vest, yellow

H. Utility BDU Uniform Specifications for Uniformed Deputy Sheriffs:

1. A utility black BDU pant will be issued to all Deputy Sheriffs and may be worn in the following circumstances:
 - a. Firearms training
 - b. PPCT training
 - c. Fire duty
 - d. Severe winter weather when layering of clothing is necessary
 - e. When directed or authorized by direct supervisor or division commander

I. Required Uniform and Equipment for Uniformed Court House Security Guards and Transport Officers: Uniforms and equipment provided and required for uniformed Court House Security Guards and Transport Officers are as follows.

1. Black uniform trousers/cargo and dress
2. Tan uniform shirt (summer and winter) with tan buttons, and office shoulder patches service emblems, and ranking insignia. Choice of regular summer and winter uniform shirts: One regular summer and two summer polo shirts; One regular winter and two winter polo shirts. The polo shirts will be worn under the external load bearing vest carrier. The polo shirts will not be worn without the external load bearing vest carrier. Transport Officers.
3. Black four-in-hand tie with safety release (to be worn with long sleeve shirt only)
4. Black uniform jacket (summer or winter weight) with badge, office shoulder patches, service emblems, and ranking insignia
5. Security badge, Transport badge
6. Metal name tag (to be worn on uniform shirt or jacket above the right pocket so that the bottom of the name tag rests on the top edge of the pocket flap and the name tag itself is centered on the military crease)
7. Black leather gear (basket weave)
 - a. Authorized firearm holster (Court House Security and Transport)
 - b. Double magazine pouch (Court House Security and Transport)
 - c. Duty belt
 - d. Handcuff case, one double or two single
 - e. Flashlight holder
 - f. OC holder
 - g. Belt keepers
 - h. Inner belt
8. Radio holder
9. Authorized firearm and ammunition (Court House Security and Transport)
10. Rechargeable flashlight
11. Chemical spray (Oleoresin Capsicum or equivalent)
12. Handcuffs and keys, two sets

13. Soft body armor
14. Office keys
15. Identification card
16. Black-ink pen
17. Raincoat/jacket (yellow)
18. Identification card

J. **Required Uniform and Equipment for Civil Deputies:** Uniforms and equipment provided and required for uniformed Civil Deputies are as follows.

1. Black uniform trousers/cargo
2. Grey uniform shirt (summer and winter) with office shoulder patches, service emblem and ranking insignia
3. Black four-in-hand tie with safety release (to be worn with long sleeve shirt only)
4. Black uniform jacket (summer or winter weight) with badge, office shoulder patches, service emblems, and ranking insignia
5. Civil Deputy Badge
6. Metal name tag (to be worn on uniform shirt or jacket above the right pocket so that the bottom of the name tag rests on the top edge of the pocket flap and the name tag itself is centered on the military crease)
7. Black leather gear (basket weave)
 - a. Black belt
 - b. Flashlight holder
 - c. OC holder
8. Rechargeable flashlight
9. Chemical spray (Oleoresin capsicum or equivalent)
10. Office keys
11. Identification card
12. Black-ink pen

K. **Mandatory equipment provided by the uniformed law enforcement employee:**

1. Black t-shirt (summer uniform / quality uniform)

2. Serviceable watch

L. Optional equipment provided by the uniformed law enforcement employee:

1. Black leather gloves
2. Pocketknife
3. Sunglasses (non-mirrored). Only designs and colors in good taste will be permitted to be worn by any personnel. Deputies should remove sunglasses whenever talking to the public or media or while inside any building.
4. Mock-turtleneck meeting specifications outlined below
5. Black pull-over sweater of a style approved by the agency with agency patches
6. Collapsible baton and holder (certified law enforcement only)

M. Required Uniform and Equipment for Detox Technicians and Emergency Medical Technicians assigned to Addiction Services: Uniforms and equipment provided and required for uniformed Detox Technicians and EMT's are as follows.

1. Black uniform trousers/cargo
2. Charcoal short-sleeved polo with Care Campus Logo.
3. Red short-sleeved polo with Care Campus Logo for Supervisors.
4. Sheriff's Office ID Badge to be worn clipped to the right-hand collar enclosed in the clear plastic sleeve.
5. Black leather gear (basket weave)
 - a. Key Clip
 - b. Flashlight holder
 - c. Radio Clip
 - d. Glove Pouch
 - e. Belt
6. Rechargeable flashlight
7. Office keys
8. Black-ink pen

N. Mandatory equipment provided by the uniformed employee:

1. Black t-shirt (summer uniform / quality uniform)

O. Specifications for wearing the uniform:

1. Uniform shirts and trousers shall be worn securely buttoned. Closure of the uniform jacket shall be at the discretion of the officer.
2. Law Enforcement uniformed personnel will be allowed to decide whether to wear the authorized summer or winter uniform depending on weather conditions and specific assignment unless directed to wear a particular uniform by a supervisor, commander, or the Sheriff.
 - a. Summer Uniform: The summer uniform shirt (short sleeved) is to be worn with the top button unbuttoned to present a neat, open-collar appearance. A black T-shirt is to be worn under the summer uniform shirt.
 - b. Winter Uniform: The winter uniform shirt (long sleeved) is to be worn with the authorized necktie and top button buttoned or unbuttoned with either a mock turtleneck or a black T-shirt. The mock turtleneck must meet the following criteria:
 - 1) Black in color with mock (single layer) collar
 - 2) Initials "PCSO" ½ in height on left front side of collar, between the shoulder seam and center seam
 - 3) Embroidery to be same gold color as that of official PCSO patch
 - 4) Must be purchased by the Deputy
 - 5) May not be worn unless part of the official uniform or utility uniform
3. Law Enforcement personnel must wear the necktie with the winter uniform shirt in the following circumstances:
 - a. When testifying in court or on another formal matter
 - b. Deputy Sheriffs, supervisors, or transport officers assigned to transport inmates or detainees to court with advanced notice
 - c. Court House security guards when assigned to work at the court house
 - d. While attending a funeral in uniform
 - e. When at any other type of formal occasion such as a graduation or awards ceremony
 - f. While speaking to the media (expected event or interview)
 - g. Any other time when directed to do so by a supervisor, commander, or the Sheriff

4. Shoulder microphones will not be worn attached to the summer or winter uniform shirt while testifying in court or at a formal event.

P. Cellular Telephones: Any employee that has been issued a cellular telephone will carry it and be accessible to call at all times except when on authorized leave or when at their permanent residence or in situations where the wearing of the cellular telephone is not practical. Exceptions to this policy may be granted by division commanders.

Q. Service Emblems:

1. Members of the Pennington County Sheriff's Office's Special Response Team are authorized to wear the approved Special Response Team Crest centered over the right pocket of the uniform shirt, above the name tag.
2. Members of the Pennington County Sheriff's Office's Mobile Response Team are authorized to wear the approved Mobile Response Team Crest centered over the right pocket of the uniform shirt, above the name tag.
3. Deputies who are certified as a Drug Recognition Expert are authorized to wear the approved DRE crest centered over the right pocket of the uniform shirt, above the name tag.
4. Deputies and Correctional Officers receiving awards and commendations will wear the emblems above the right pocket, centered just above the name tag.
5. Deputies and Correctional Officers who are current or prior members of the military service may wear the American Flag emblems above the right pocket, centered just above the name tag.
6. Deputies who have graduated from the FBI National Academy are authorized to wear the approved emblem centered over the right pocket of the uniform shirt, above the name tag.
7. Deputies who are certified with Dive Rescue International and are active members of the Rapid City/Pennington County Dive Rescue Team are authorized to wear the approved Dive Team Crest centered with and directly above the name tag.
8. Deputies who are sworn as Deputy Coroners are authorized to wear the approved Coroner Emblem over the right pocket of the uniform shirt, above the name tag.
9. Emergency Medical Technicians assigned to Addiction Services will wear a star of life pin on their left collar of their issued polo.
10. Deputies or Correctional Officers are authorized to wear up to three service emblems on their regular duty uniform. When wearing more than one, the largest will be worn immediately above the name tag and the smaller one will be

centered above that. If three are worn, two will be in a row above the name tag and the third centered above those.

11. Deputies or Correctional Officers may wear all service emblems awarded on their dress uniform. The dress uniform is considered the long-sleeved shirt and neck tie. The service emblems will be placed in a continual pattern as detailed under Q-10.
12. Service emblems associated with specialized teams or assignments may only be issued and worn when deputies or correctional officers are actively serving in those roles.
13. Deputies may wear the one to three service emblems on their outer carrier. Two sets of emblems may be requested for those they wish to wear as a part of their standard uniform.

R. Special Duty Assignments:

1. Motorcycle Duty: The motorcycle officer's uniform shall be the same as patrol officers except that they are required to wear:
 - a. Black leather boots a minimum of 6" in height
 - b. Office approved safety helmet
 - c. Eye protection
 - d. Black leather gloves
2. Bicycle Duty Team: The basic bicycle utility uniform will consist of the following:
 - a. Black shorts approved by Sheriff's Office
 - b. Polo shirt, fluorescent, with embroidered badge
 - c. Black shoes
 - d. Office approved helmet
 - e. Office issue leather gear
 - f. Ball Cap with fluorescent Sheriff insignia
3. Boat Patrol: The boat patrol uniform will consist of the following:
 - a. Black shorts approved by the Sheriff or designee
 - b. Polo shirt, fluorescent, with embroidered badge
 - c. Black shoes

d. Office issued leather gear

GP 3-20: Professional Conduct and Responsibilities

Chapter: Employee Conduct and Professionalism

Order No: 2015-03

Effective: 05-12-2015

Revised: 04-30-2024

Approved by: Sheriff Brian Mueller

Reference:

Classification: Public

I. General Information

- A. The conduct of all personnel in the Pennington County Sheriff's Office must be free from impropriety. Personal behavior, both on and off duty, must be above reproach.

II. Definitions

- A. N/A

III. General Information

- A. N/A

IV. Procedural Guidelines

A. Code of Conduct:

1. Employees shall respond to the lawful order of supervisors and other proper authorities.
2. The administrative delegation of the enforcement of certain laws and ordinances of the office does not relieve employees of other units from the responsibility of taking prompt, competent, effective police action within the scope of those laws and ordinances when the occasion requires.
3. Employees assigned to special duties are not relieved from taking proper action outside the scope of their specialized assignment when necessary.
4. All employees shall perform their duties as required or directed by law, policy and procedures, or by order of a supervisor.

B. Conduct Unbecoming an Employee:

1. Sheriff's Office employees are conspicuous representatives of government. An employee's conduct is closely scrutinized by individuals in the community and by the public at large.
2. Employees should not act in an official capacity for the purpose of securing personal gain of any kind. Consequently, an employee should not make professional contact with any person for the purpose of establishing a personal relationship.

3. At no time shall employees conduct themselves in such manner as to bring discredit upon themselves, the office, or impair the effective operations of the Sheriff's Office.
- C. **Insubordination:** Employees shall promptly obey any lawful order of a supervisor, including orders relayed from the supervisor. Failure to obey a lawful order may be judged to be insubordination.
 - D. **Knowledge of Laws and Rules:** Employees are to be familiar with and maintain a working knowledge of laws and ordinances in force in the county and state and the rules, orders, and procedures of the office.
 - E. **Conduct Toward Other Employees:** Employees shall treat supervisors, subordinates, and associates with respect. They shall be courteous and civil at all times in their relationship with others.
 - F. **Questions Regarding Assignment:** Employees in doubt as to the nature or detail of assignments shall seek clarification from their immediate supervisor.
 - G. **Professional Conduct:** Supervisors are accountable for the performance of employees under their immediate control.
 - H. **Professional Courtesy:** Employees shall address ranking deputies and officers by use of their title and will not use first names or nicknames in front of the public. Supervisors shall likewise address subordinates by their proper title. All employees, in public, will address one another in a professional and courteous manner.
 - I. **Truthfulness:** All employees shall truthfully state the facts in all reports as well as when appearing before any judicial office or other official investigation, hearing, trial or proceeding. The employee shall cooperate fully in all phases of such investigations, hearing, trials, and proceedings.
 - J. **Moral Turpitude:** It is strictly forbidden to engage in sexual activity while on duty or engage in sexual activity on or off duty that compromises the integrity of the office.
 - K. **Reporting for Duty:** Employees shall report for duty at the time and place designated by assignment or order and shall be physically and mentally fit to perform their duties. They shall be properly equipped for the proper performance of duty. Judicial subpoenas and administrative notices constitute an order to report for duty in accordance with existing procedures.
 - L. **Neglect of Duty:** Employees shall not engage in any activity or personal business which would cause them to neglect or be inattentive to duty. Employees shall remain awake on duty. If unable to do so, they shall contact their supervisor who shall determine the proper course of action.
 - M. **Relief:** All employees are to remain on their assignment and on duty until they are released by a replacement or until their tour of duty ends.

- N. **Reporting Absence Prior to Duty Time:** When sickness or unforeseen circumstances prevent an employee from reporting for duty as scheduled, their supervisor or the on-duty supervisor shall be notified at least sixty (60) minutes prior to duty time. Notifying the Emergency Services Communication Center, the control room, leaving a voicemail, or sending an email does not fulfill this responsibility.
- O. **Absence from Duty:** Every employee who fails to appear for duty on the date, at the time and place specified for doing so, without consent or competent authority, is "absent without leave." Such absence shall be reported in writing to the division captain, lieutenant, or assistant director. Every employee absent without leave for two days shall be deemed to have resigned. However, subsequent leave may be granted by the Sheriff to reconcile the absence, if warranted by the circumstances causing the leave.
- P. **Feigning Illness or Injury:** Employees shall not feign illness or injury, falsely report themselves ill or injured or otherwise deceive or attempt to deceive any employee of the office as to the condition of their health.
- Q. **Reporting During Illness or Injury:** Employees shall not fail (while off duty due to illness or injury, unless medically unable) to contact their supervisor at daily intervals to report condition and progress of recovery, and may upon request be required to provide a medical report. The Director of Personnel Service, Division Captain, Division Commander or Director, Chief Deputy or Sheriff may excuse employees from reporting.
- R. **Unsatisfactory Performance:**
1. Employees shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions.
 2. Prima-facie evidence (sufficient initial evidence unless disproved) of unsatisfactory performance includes, but is not limited to, the following:
 - a. Lack of knowledge of the application of laws required to be enforced.
 - b. Unwillingness or inability to perform assigned tasks.
 - c. Failure to take appropriate action on any situation deserving law enforcement action.
 - d. Repeated poor evaluations.
 - e. Written records of corrective recommendations and failure to correct unsatisfactory performance.
 - f. Excessive or unjustified sick leave.
- S. **Address, Telephone, Status, Residency:**
1. The location of the employee's residence should be such, that if the employee is called back to work in an emergency, the employee can report to their duty station, ready for assignment, within a reasonable amount of time, which will be approved on a case-by-case basis by the Sheriff.

2. Employees changing their address, telephone number, or marital status (name change) shall notify their supervisor and the Human Resources Department, providing their correct information as soon as practical.
- T. **Loitering:** Employees on duty or in uniform shall not enter taverns, theaters, or other amusement places except to perform a law enforcement function. On duty employees shall not disrupt the activities of on duty personnel. Employees are permitted to eat at restaurants licensed to serve alcohol.
- U. **Courtesy to Public:** Employees shall be courteous to the public. Employees shall control their tempers and not engage in argumentative discussions. Employees should not use coarse, violent, profane, or insolent language or gestures.
- V. **Giving Name and Rank:** An employee shall politely give their name and rank to any violator or other person when requested to do so, unless such action is likely to jeopardize the successful completion of a law enforcement assignment.
- W. **Misuse of Identification:** Employees shall not use their official identification to avoid the consequences of an illegal act or to obtain services not offered to the general public.
- X. **Use of Business Cards:** Business cards bearing any representation of employment by the Pennington County Sheriff's Office will be used for official business only.
- Y. **Citizen's Complaints:** Employees shall courteously and promptly record any complaint made by a citizen against any employee of the Pennington County Sheriff's Office. If possible, supervisors are to receive and resolve the complaints. Citizen complaints shall be handled according to established procedures.
- Z. **Request for Assistance:** When any citizen requests assistance, or reports an incident, all pertinent information will be obtained in an official and courteous manner.
- AA. **Misuse of Privileged Information:** Employees shall not use information gained from their employment for personal benefit or the personal benefit of others.
- BB. **National Colors and Anthem:**
1. Uniformed employees will render full military honors, and employees in civilian dress shall render proper civilian honors, to the national colors and anthem at appropriate times.
 2. Persons wearing the Pennington County Sheriff's Office uniform shall render a military salute to the flag when it is carried by a color bearer in marching formation or when being hoisted or lowered from a flag-staff during a ceremony.
 3. During the rendition of the national anthem, employees in uniform shall face the flag and render a military salute at the first note of the anthem and retain this position until the last note.

4. Employees may be exempt from rendering honors if in doing so the law enforcement function is compromised.

CC. Drinking Intoxicating Beverages on Duty: Employees shall not drink any intoxicating beverage on duty except in the performance of law enforcement function, and then only with specific consent of a supervisor. Employees shall not, at any time, be under the influence of an intoxicating beverage on duty without specific consent of a supervisor. Employees shall not report for duty or make contact with the general public on duty when an odor of an intoxicating beverage is on their breath or person.

DD. Purchase or Drinking of an Intoxicating Beverage: An employee, whether on duty or off duty, shall not purchase or consume an intoxicating beverage while wearing an identifiable uniform of this office.

EE. Intoxicating Beverages or Drugs on Office Premises: Employees shall not store or bring into any law enforcement facility or vehicle intoxicating beverages or illegal drugs except those items which are to be held as evidence or are to be used in the course of authorized law enforcement business.

FF. Drugs and Narcotics: Employees shall not possess any illegal drugs except in the performance of their lawful duties or if prescribed by a licensed physician. Use of any illegal drugs by office employees is prohibited unless the use is in accordance with a lawful prescription obtained from by a licensed physician. Employees using prescription medication or over-the-counter medication that has a warning label must notify their supervisor of the type and reasons for taking the medication.

GG. Use of Tobacco Products:

1. Employees on duty shall use utmost discretion when using any tobacco products. No Smoking areas shall be adhered to.
2. Employees will not smoke or use any tobacco products in Sheriff's Office vehicles, nor allow others to do so.

HH. Endorsement and Referrals: Employees shall not recommend or suggest in any manner the employment or procurement of a particular product, professional service, or commercial services (for example: attorney, bondsmen, morticians, private requests for towing, and ambulance services) to any non-employee, excluding family members. The provisions of this item do not apply to agency authorized referrals.

II. Acceptance of Gifts, Gratuities, Fees, Etc.: Employees will not solicit or accept any gift or gratuity, any item of value, loan or service which would be given due to the employee's employment with the Pennington County Sheriff's Office, except by the authority of the Sheriff.

JJ. Rewards: No employee, on or off duty, will accept a reward for services normally rendered by the office except by authority of the Sheriff.

KK. Disposition of Unauthorized Gifts and Gratuities: Items of value which are described and embody the spirit of the above two sections will be forwarded to the Office of the Sheriff for return to the giver, for presentation to a charitable organization, or other disposition as authorized by the Sheriff.

LL. Inmate, Client, and Detainee Relationships:

1. Employees who encounter inmates, clients, detainees, or current probationers or parolees with whom they have a current or past relationship with that may create a conflict of interest are to notify their chain of command.
2. Establishing a romantic relationship with an inmate, client, detainees, or current probationers or parolees is strictly prohibited. Employees should refrain from assisting inmates, clients or detainees outside the scope of their professional responsibilities.
3. Employees who engage with former inmates, clients, detainees, or current probationers or parolees outside of work are cautioned to ensure the interaction does not suggest or encourage conflicts of interest.

GP 3-30: Sexual Harassment, Sex Discrimination

Chapter: Employee Conduct and Professionalism

Order No: 2015-03

Effective: 05-12-2015

Revised: 10-26-2023

Approved by: Sheriff Brian Mueller

Reference:

Classification: Public

I. Policy

- A. The Pennington County Sheriff's Office prohibits sexual harassment or sex discrimination in any form. This document will provide employees with a mechanism for reporting and resolving allegations of sexual harassment and sex discrimination.

II. Definitions

- A. **Sexual Harassment:** Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct when:
 1. Submission to such conduct is either explicitly or implicitly made a term or condition of an individual's employment.
 2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.
 3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.
- B. **Types of Sexual Harassment:**
 1. **Quid Pro Quo Sexual Harassment:** A circumstance in which an employee or employees, against their wishes, are expected to provide sexual favors in order to receive favorable workplace treatment or face unfavorable workplace treatment if they refuse.
 - a. Submission to such conduct is either explicitly or implicitly made a term or condition of an individual's employment.
 - b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.
 2. **Hostile work environment:** A circumstance in which an employee or employees, against their wishes, are confronted with an environment involving sexually explicit language, photos, or conduct that has the purpose or effect of

unreasonably interfering with a person's work performance or creating an intimidating, hostile or offensive work environment.

C. Sexual Harassment Progression:

1. Non-Physical:
 - a. Pressure for dates
 - b. Sexual jokes
 - c. Teasing
 - d. Remarks
 - e. Questions
 - f. Suggestive looks/gestures
2. Physical/Non-Physical Intimidation:
 - a. Sexual favors
 - b. Pinching
 - c. Touching
 - d. Phone calls
 - e. Blocking
 - f. Cornering
 - g. Sending materials of sexual nature
3. Physical/Bodily Harm:
 - a. Sexual assault
 - b. Attempted sexual assault

D. Sex Discrimination: Sex discrimination involves treating an employee unfavorably because of that person's sex or because of their connection with an organization or group that is generally associated with people of a certain sex.

1. The law forbids sex discrimination when it comes to any aspect of employment, including hiring, firing, pay, job assignments, promotions, layoff, training, fringe benefits, and any other term or condition of employment. The sex of an employee can be the basis for an employment decision when a bona-fide occupational qualification exists, such as to maintain male/female ratio for prisoner pods.

III. General Information

- A. Supervisors and employees have an obligation to provide a work environment free of all harassment and discrimination. This includes taking steps to ensure that the Pennington County Sheriff's Office is in a position to control prohibited harassment and discrimination whether it is done by supervisors, co-workers or non-employees.

IV. Procedural Guidelines

- A. Reporting Requirements: All employees within the Pennington County Sheriff's Office have an obligation to promptly report violations of this policy. This would include sexual harassment, sex discrimination or indicators of a hostile, offensive work environment that an employee experiences, witnesses, or otherwise has knowledge of.
1. The Pennington County Sheriff's Office shall promptly investigate all complaints regarding harassment or discrimination regardless of their origin.
 2. Complaints should be made to an employee's immediate supervisor. If the immediate supervisor is involved in the allegation or if the employee is uncomfortable with making a report to an immediate supervisor, the employee may by-pass chain of command in order to report the harassment or discrimination.
 3. Once an allegation is made, steps should be taken to separate the involved employees while an investigation into the allegations is conducted. The separation should be undertaken in an equitable manner, which is non-punitive in nature. In no case will employees who make an allegation be forced to change assignments against their choice. The supervisor is required to immediately stop any conduct that might continue or aggravate the allegation(s).
 4. All allegations of harassment or discrimination shall be documented and forwarded up the chain of command to the Sheriff.
 5. All complaints of harassment or discrimination shall immediately be thoroughly and impartially investigated.
 6. The alleged victim of the harassment or discrimination shall be kept informed of the progress of the investigation.
 7. At the conclusion of the investigation, the alleged victim and the accused employee shall be informed of the conclusions reached by the investigation.
 8. To the extent possible information obtained during the investigation from the complainant (s) may be kept confidential consistent with a thorough and impartial investigation.
 9. Where evidence is established to sustain a violation of this policy, immediate disciplinary action shall be taken against the offending employee, up to and including termination from employment with this agency.
 10. If the allegation(s) is unsubstantiated, but the individuals involved or their work group would benefit from an employment change that does not adversely impact either party that action may be taken at the Sheriff's discretion.

11. No employee shall be retaliated against for reporting allegations of sexual harassment or sex discrimination.
 12. The investigative documentation shall be retained in a risk file via the Sheriff's Administrative Assistant. If substantiated any employment related action will be documented in the accused employee's personnel file.
- B. Training: Pennington County Sheriff's Office will provide annual training regarding sexual harassment and sex discrimination for all employees that includes instruction on the reporting requirements of such conduct. This training shall be documented to ensure that all employees received the training.

GP 3-40: Sexual Misconduct

Chapter: Employee Conduct & Professionalism

Order No: 2015-03

Effective: 05-12-2015

Revised: 10-26-2023

Approved by: Sheriff Brian Mueller

Reference:

Classification: Public

I. Policy

- A. The Pennington County Sheriff's Office will train all deputies and correctional officers to know what constitutes criminal sexual misconduct within law enforcement, how to recognize it, and the requirements for reporting any violation to the appropriate authorities.

II. Definitions

- A. **Criminal Sexual Misconduct:** The abuse of authority by an employee for sexual purposes that violate the law.
- B. **Sexual Misconduct:** Any sexual activity while on-duty or stemming from official duty. Sexual misconduct includes but is not limited to use of official position and official resources to obtain information for purposes of pursuing sexual conduct.
- C. **Intimate Part:** Genital area, inner thigh, groin, buttocks, or breasts of a person.
- D. **Actor:** The person accused of sexual assault.
- E. **Sexual Contact:** Any contact for the purpose of sexual gratification of the actor with the intimate parts of a person not married to the actor.

III. GENERAL INFORMATION

- A. All Sheriff's Office employees are empowered with authority by their government to protect the public from criminal activity. When an employee abuses this authority for sexual purposes, and violates another person, the employee not only commits a crime against the victim, but also damages the credibility and trust of the entire law enforcement community with the public. The purpose of this policy is to caution all employees that any violation of the public trust involving sexual misconduct will result in severe consequences including prosecution to the fullest extent possible.

IV. PROCEDURAL GUIDELINES

- A. Sexual activity of any nature while on duty is prohibited.

- B. Sexual misconduct is prohibited and shall be disciplined up to and including termination.
- C. any contact for the purpose of sexual gratification of the actor with the intimate parts of a person while on duty is prohibited.
- D. An employee shall not engage in sexual contact with any individual who is in custody and over whom such employee has supervisory or disciplinary authority.
- E. **Reporting Requirements:** Employees of this office, who are made aware of any violation of this policy, are required to report the violation to their supervisor immediately.
 - 1. The supervisor will immediately contact the division captain, commander, director, or command level personnel, who will immediately contact the Chief Deputy or Sheriff to initiate an investigation.
 - 2. The investigation will involve any investigative elements within or outside the department as necessary, and any forensic evidence will be protected and processed immediately.
 - 3. The accused employees' supervisor will not attempt to resolve a complaint of this nature with the alleged victim, and is required to make immediate contact with command level personnel as described above.
- F. **Training:** All sworn employees of this office, including supervisors, will receive specific training about the elements of sexual misconduct involving employees. The training will also include elements of this policy.
- G. **Discipline:**
 - 1. Any employee found to be in violation of the provisions of this policy shall be disciplined up to and including termination and criminal charges where appropriate.
 - 2. Any employee having knowledge of a violation of this policy, who fails to report said violation should also be disciplined up to and including termination and criminal charges if appropriate. If the violation involves supervisory personnel, the reporting employee will notify the appropriate level officer and will not be strictly held to his/her chain of command.

GP 3-50: Domestic Misconduct

Chapter: Employee Conduct and Professionalism

Order No: 2015-03

Effective: 05-12-2015

Revised: 10-26-2023

Approved by: Sheriff Brian Mueller

Reference:

I. Policy

- A. The Pennington County Sheriff's Office (PCSO) will deal directly and positively with any employee involved in acts of domestic misconduct. The ultimate mission of the PCSO is to assist the employee to resolve these family/relationship problems, to ensure that these acts do not adversely affect the employee or the office during the period of resolution, and to provide the office with a safe work environment.

II. Definitions

- A. **Domestic Misconduct:** The PCSO defines this type of conduct very broadly. This definition may be broader than State law, but it is intended to assure the continuation of positive performance within the office by the involved employee and other members of the office.
 1. **Domestic Relationship:** This relationship involves any employee who is or has been married to the other party, any member of the employee's household, an employee who is living or has lived with the other party in the past year, has had a child with the other party, or is or has been engaged in an intimate relationship with the other party.
 2. **Misconduct:** Refers to any physical assault or battery, vandalism, stalking, intimidation, coercion, or criminal act against a party within this form of domestic relationship.
- B. **Collateral Misconduct:** Any conduct by a member of the PCSO to assist another office employee in the continuation of the act of domestic misconduct. This would include any actions designed to shield the employee or impair the ability of the PCSO to be informed of the domestic misconduct. If a member of the PCSO has knowledge of any domestic misconduct, that failure to report is a violation.
- C. **Service of Court Papers:** Any documents from a judicial proceeding, which are designed to assist in resolving the domestic misconduct or curtailing specific actions by the parties involved in the domestic misconduct.
- D. **Self-Reporting:** It is the responsibility of the employee to provide the office with specific notice if they are involved in any acts of domestic misconduct. Specific

notice is required if the employee is the subject of any judicial proceeding concerning these types of acts, whether the employee is the alleged perpetrator or the alleged victim.

- E. **Administrative No-Contact Orders:** These are written orders by a supervisory employee and served upon an agency employee. These orders are designed to curtail any further domestic misconduct.

III. General Information

- A. Sheriff's Office employees come from the community. They may become involved in domestic matters. Because they are Sheriff's Office employees and their status is usually known to other persons in the community and they are representatives of the Pennington County Sheriff's Office, the office must take positive steps to ensure that domestic matters do not adversely affect the employee's ability to perform, nor compromise the conduct of office missions, nor create moral, operational or efficiency problems for the office. The Pennington County Sheriff's Office is dedicated to providing assistance for the employee during critical times so that the employee may resolve the situation and return to being a productive member of this office.
- B. The Pennington County Sheriff's Office shall take immediate action when notified of any act of domestic misconduct involving an employee of this office.

IV. Procedural Guidelines

- A. **PCSO Jurisdiction Requirements:** When the incident occurs within the jurisdiction of this office:
 - 1. Assign the call for response to a supervisor who will respond along with the appropriate law enforcement resources needed to contain the situation.
 - 2. The supervisor will ensure that any violence is curtailed, all parties are protected, and any required medical assistance is provided.
 - 3. The supervisor shall ensure that all evidence is properly preserved.
 - 4. Once the incident is contained, the supervisor shall notify the Patrol Captain, Chief Deputy, or Sheriff through the proper chain of command.
 - 5. If the Pennington County Sheriff's Office handles the investigation, the criminal investigator, or the supervisor if no investigator responds, is responsible for the criminal investigation, if warranted.
 - 6. The Sheriff or a designee will determine whether the PCSO or another law enforcement agency will handle the investigation, and will make such requests as appropriate.
 - 7. The decision to arrest a PCSO employee involved in domestic misconduct shall be the responsibility of the on-scene supervisor after consultation with command

staff. When probable cause exists, the employee shall be arrested and processed the same as any civilian.

8. The supervisor, investigator, or on-scene deputy shall take immediate steps to:
 - a. Ensure that there is no continuation of domestic misconduct.
 - b. Ensure that victim advocate assistance is offered and provided when necessary.
 - c. Ensure that an immediate safety plan is discussed with the victim of the domestic misconduct, and assist in any manner.

B. Non-PCSO Jurisdiction Requirements: When the incident involving domestic misconduct occurs in a jurisdiction other than that of the PCSO, or if another law enforcement agency is requested to handle the investigation in our jurisdiction:

1. The PCSO employee notified of the incident shall immediately notify command staff through the proper chain of command.
2. A supervisor or administrator will be assigned to make immediate contact with the involved agency to ensure that the PCSO is kept on notice of the progress of the investigation.
3. The assigned supervisor or administrator shall ensure that the employee and the persons involved are aware that the office will assist them during this process.

C. Training: South Dakota statutes require that all law enforcement officers be trained on domestic abuse during the initial academy training and subsequently once every four (4) years.

D. Discipline:

1. Conviction of a crime of domestic violence: When a sworn employee is convicted of a crime of domestic violence the employee shall be terminated for not being able to function completely within the job classification for which they were hired.

GP 3-60: Disciplinary System

Chapter: Employee Conduct and Professionalism

Order No: 2015-06

Effective: 08-01-2000

Revised: 12-29-2023

Approved by: Sheriff Brian Mueller

Reference:

I. Policy

- A. The Disciplinary System policy is designed to facilitate the orderly function and operation of the Pennington County Sheriff's Office, to ensure employee adherence to a reasonable and acceptable standard of performance and conduct; and to provide fair and equitable consequences to those standards.

II. Definitions

- A. N/A

III. General Information

- A. The Disciplinary System will be administered fairly, efficiently and consistently in a timely manner, within all divisions of the Sheriff's Office. An effective disciplinary system will strengthen relationships within the Sheriff's Office as well as the community by providing clear expectations and accountability.
- B. Employees of the Pennington County Sheriff's Office are employed at-will; providing progressive discipline is not promised; steps in the progressive disciplinary process can be skipped; and immediate termination from employment without prior warnings may occur.

IV. Procedural Guidelines

- A. Identifying Need for Disciplinary Action
 - 1. The Sheriff's Office encourages the reporting of employee conduct or performance issues that could potentially compromise the integrity of the office.
 - 2. When a report is received or an issue identified, the employee's direct supervisor, or appropriate third party, should initiate an investigation to determine the validity by gathering facts, documentation and contacting other parties involved.
 - 3. The investigation should be done in a timely, unbiased, impartial manner.
 - 4. Upon completion of the investigation, the supervisor, or third party, should evaluate the findings to determine if the facts are sufficient to support disciplinary action.
- B. Determination of Disciplinary Action

1. When determining the level of disciplinary action appropriate, supervisors are required to collaborate with their chain of command to assist with consistency and objectivity.
2. When following a progressive disciplinary system philosophy, the consideration of mitigating and aggravating circumstances will impact the level of disciplinary action implemented.
 - a. Mitigating Circumstances may include, but are not limited to:
 - 1) Willingness to accept responsibility
 - 2) Knowledge of wrong doing
 - 3) Documented performance history
 - 4) Severity of offense
 - b. Aggravating Circumstance may include, but are not limited to:
 - 1) Legal or financial risk to the Sheriff's Office
 - 2) Injury, harm or endangerment to another
 - 3) Position of rank
 - 4) Dishonesty, criminal act or prejudicial conduct

C. Levels of Disciplinary Action

1. Verbal Counseling
 - a. Verbal Counseling may be recommended and implemented by the Corporal or equivalent civilian supervisor and supported up the chain of command.
2. Written Counseling
 - a. Written Counseling may be recommended and implemented by the Corporal or equivalent civilian supervisor and supported up the chain of command.
3. Written Reprimand
 - a. A Written Reprimand may be recommended and implemented by the Sergeant or equivalent civilian supervisor and supported up the chain of command.
4. Suspension (with or without pay)
 - a. Suspension may be recommended by the Sergeant or equivalent civilian supervisor and up the chain of command for the Chief Deputy or Sheriff's approval.
5. Termination
 - a. Termination may be recommended by the Sergeant or equivalent civilian supervisor and up the chain of command for the Sheriff's approval.

- b. Upon determination of disciplinary action that includes termination, employees will normally be given the reasons for their discharge and opportunity to provide their side of this story before the decision will be finalized.
6. In addition to the above actions, the Sheriff may establish additional remedies to include, but not limited to: non-contact orders, position reassignment, secondary employment restrictions, remedial training, mental health or substance abuse services and any other restriction or condition deemed appropriate under the circumstances.

D. Enforcement of Disciplinary Action

1. Once disciplinary action has been deemed appropriate and the level has been determined, the approved level of supervisor will sit down with the employee in a timely manner and enforce the disciplinary decision. The supervisor should provide the written documentation at this time for the employee's signature of receipt.

E. Documentation of Disciplinary Action and Investigation

1. With the exception of verbal counseling, all disciplinary actions and supporting investigations will be documented. When action is taken, the documentation will be stored in the employee's personnel record. If the investigation determines no disciplinary action is necessary, the Sheriff or designee has the discretion to maintain the documentation in confidential risk management file.
2. The following information should be included in any documented disciplinary action. Supervisors are encouraged to use the PCSO Disciplinary Action Template stored on the employee intranet for consistency.
 - a. The disciplinary level being administered
 - b. A brief narrative of the offense
 - c. The specific rule, policy, procedure or performance standard in violation
 - d. Statement of expectations
 - e. Statement of further disciplinary action if the expectations are not met
 - f. Reference of any previous, relevant disciplinary action and mitigating or aggravating factors
 - g. The receiving employee's and supervisor's signature with date

F. Disciplinary Action Appeals

Sheriff's Office employees have the right to appeal disciplinary decisions with the Sheriff.

Personnel Disciplinary Action Template Guide

(To be placed on division letterhead)

Employee Title and Name		Today's Date	
Disciplinary Administrator		Date of Offense	
Disciplinary Offense	<i>(policy number, rule etc.)</i>		
Disciplinary Action (s)	<i>Written Warning, Written Reprimand, Suspension, Termination</i>		

Situation Summary

- Narrative of Events to include pertinent dates, facts and other references
- Effect on agency, safety, coworkers etc.

Sample

On Tuesday, January 3rd, 2016 you arrived to work 30 minutes late for your shift without notification or approval. Your tardiness required the unplanned overtime for another officer to cover your post and the concern for your wellbeing. County Policy 2.5 and Sheriff's Office Global Policy 1.50 outline the expectation and procedure for attendance and punctuality. You signed in receipt of the County Policy upon hire and I conveyed my expectations for calling in when you were assigned to my shift on November 15th, 2015.

Disciplinary Action

- History of related offenses, mitigating and aggravating factors

Sample

This is the third occurrence related to your attendance in the past 2 weeks. On December 26th you and I discussed the ramifications of continuing to be late for your shift and you confirmed you understood. We also covered options to correct the behavior causing you to be late and you relayed you would work to improve. Based on the previous incidents, verbal counseling and failure to improve under controllable variables, this will serve as a written reprimand.

Statement of Expectations

- What has to happen to correct the problem
- Timeline
- Encouragement and support

Sample

It is my expectation that you arrive for work on time and prepared for the day. If you are running late you are expected to follow the policies and procedures in place to contact the on-duty supervisor via phone as soon as you are aware of the situation. You are an asset to our team and the goal is to work together to overcome this obstacle so you may continue to be a valued member of the Sheriff's Office.

If this behavior persists it will result in further disciplinary action up to and including termination. (*Statement of further disciplinary action*)

Employee Signature of Receipt

Date

Signature of Disciplinary Administrator

Date

GP 3-70: Employee Drug and Alcohol Testing

Chapter: Employee Conduct and Professionalism

Order No: 2018-08

Effective: 05-19-2016

Revised: 03-19-2020

Approved by: Sheriff Kevin Thom

Reference:

Classification: Public

I. Policy

- A. This policy establishes an alcohol and drug free workplace program. The Pennington County Sheriff's Office is committed to protecting the safety, health and well-being of all employees and encourages employees to voluntarily seek help with alcohol and drug problems. This policy operates in conjunction with County Policy 1.6: Drug and Alcohol Use.

II. Definitions

- A. N/A

III. General Information

- A. This policy applies to any applicant receiving a conditional offer of employment, full-time employees, part-time employees, volunteers acting in a paid or safety sensitive capacity and interns.
- B. This policy applies whenever anyone is representing or conducting business for the Pennington County Sheriff's Office to include: all working hours, while on call, paid standby, on County property and at paid events.
- C. This policy complies with the guidelines set by the Substance Abuse and Mental Health Services Administration where applicable. Please view the [federal guidelines](#) for specimen collection for a full procedural outline.
- D. In all testing circumstances, human resources will receive and maintain results in a confidential file. The Pennington County Sheriff's Office will assume financial responsibility for required testing with the exception of multiple tests due to intentional dilution which will be the responsibility of the employee.

IV. Procedural Guidelines

- A. Pre-Employment Testing
 - 1. All individuals applying for and receiving a conditional offer of employment with the Pennington County Sheriff's Office will undergo a pre-employment drug test.

- a. Individuals will be directed by human resources to the appropriate clinic.
- b. Positive drug tests as substantiated by a Medical Review Officer without legitimate medical explanation will result in the applicant being ineligible for hire.

B. Employee Random Testing

1. All employees may be subject to random testing. Random selection will be completed monthly.
 - a. Random selection will be completed by a third-party maintained database and communicated to human resources.
 - b. Upon selection, employees will be directed to report to the clinic for sample collection as soon as practical.
 - c. Human resources will provide the order to test to the selected employee in-person at the beginning of their next scheduled shift.
 - d. Employees selected will report to the collection site immediately upon receiving notice and have a three-hour window to provide a sample.
 - e. Employees will not leave the collection site prior to providing a sample without supervisor approval.

C. Employee Testing Based on Suspicion

1. All employees may be subject to alcohol and drug testing based on suspicion.
 - a. Circumstances suggesting the need for testing should be communicated to the appropriate Chief Deputy.
 - b. The Chief Deputy will coordinate the administration of a breathalyzer test in situations suggesting the employee is under the influence of alcohol.
 - c. The Chief Deputy will notify human resources of a need for a drug screen which will be immediately coordinated through a clinic location.
 - d. Employees suspected of being under the influence will be escorted by a supervisor to the collection site.

D. Consequences of Non-Compliance or Positive Results

1. The employee and human resources will be notified by the collection site of a positive result.
 - a. If due to presence of medication, the employee will be asked to provide the prescription information to determine appropriate use.

- b. Medication used as prescribed will be reported as a negative result and the information will not be privy to the employer.
 2. Employees testing positive for drugs or alcohol will be immediately removed from duty pending investigation.
 3. The situation will be reviewed in accordance with Global Policy 3-60: Disciplinary System and subject to required drug and alcohol assessments to include the completion of recommended treatment as a condition of continued employment.
 4. Employees refusing to complete testing or attempting to alter or dilute their sample will be subject to the same disciplinary consequences up to and including termination.
- E. Employees called in for overtime or major incidents
 1. Employees assigned as on-call are expected to refrain from alcohol use.
 2. If called into work and alcohol has been consumed, employees are expected to report that information to their supervisor for discretion on reporting.
 3. If able to report, employees will be subject to breathalyzer tests prior to engaging in official duties.
 4. No disciplinary action will be warranted in situations where employees are called in unscheduled to work and report alcohol use.
- F. Shared Responsibility
 1. All employees are required to not report to work or be subject to duty while their ability to perform job duties is impaired.
 2. Employees prescribed medication that may cause signs or symptoms indicative of being under the influence should consult with their physician and provide appropriate documentation to Human Resources Department.
 3. Employees are expected to report concerning behavior to their supervisors.
 4. Supervisors are expected to report, assist and refer employees as appropriate to support the goal of a safe, healthy and well workplace.

GP 3-70 Appendix A: List of Substances Tested

- Cannabinoids
- Opiates
- Amphetamine
- Cocaine
- Phencyclidines
- Tricyclic Antidepressants
- Barbiturates
- Methadone
- Benzodiazepines
- Propoxyphene
- Methamphetamine
- MDMA
- Oxycodone

GP 4-10: Worker's Compensation

Chapter: Compensation and Benefits

Order No: 2012-09

Effective: 02-24-2010

Revised: 09-22-2023

Approved by: Sheriff Brian Mueller

Reference:

Classification: Public

I. Policy

- A. The Pennington County Sheriff's Office complies with all legal requirements, including South Dakota statute regarding protection of those injured on the job (SDCL 62-7-10). This procedure identifies the steps required to ensure appropriate benefits and timely medical treatment are provided to an employee who suffers an injury or illness as a result of work. For more information on Workers' Compensation, refer to Pennington County Policy 4.7 in the county handbook.

II. Definitions

- A. N/A

III. General Information

- A. Workers' Compensation is an insurance program that pays medical and disability benefits for work-related injuries and diseases. Employees have a right to benefits if injured on the job. In return, he or she forfeits the right to sue Pennington County for job-related injuries.
- B. All work-related injuries, no matter how minor they may be perceived, must be reported to the on-duty supervisor at the time they occur. *All* work-related injuries must be reported to the Pennington County HR Risk Manager and Sheriff's Office Human Resources within 24 hours.
- C. **Forms:** All forms referenced in this document are attached to this policy. Forms are also available on the Pennington County HR Intranet under the Work Comp Forms link.

IV. Procedural Guidelines

- A. **Employee Informs Supervisor:** Employees who sustain work-related injuries or illnesses should inform their supervisor immediately and complete the necessary workers' compensation forms.
 - a. Notify County HR Risk Manager at **605-721-6112 ext:1504**, leave a message
 - b. **Complete Required Forms Within 24 Hours:** Forms must be completed and forwarded to the County HR Risk Manager at walter.mcduff@pennco.org and

Sheriff's Office Human Resources at pcsohr@pennco.org within 24 hours of the injury.

1) SD Employer's First Report of Injury (2-sided)

- Employee & Injury/Treatment Sections (top 2) completed by employee
- on-duty supervisor may complete if employee is physically unable
- County HR will complete the Employer/Employment Information section
- Electronic form accepted

b. Authorization for Release of Information

- to be completed by employee
- form must include a wet signature

c. Employee's Accident Report

- to be completed by employee
- electronic form accepted

d. Supervisor's Accident Report

- to be completed by supervisor
- electronic form accepted

c. **If Employee Seeks Medical Treatment Attention:** The employee has the right to make the initial selection of a medical provider.

1) Provider Information and Restrictions Form

- Filled out and signed by medical provider and returned to supervisor

2) *Medical Referrals:* When the initial medical provider makes a referral to another medical provider, the provider must call SDML Workers' Compensation Fund hotline at **877-899-9112** for pre-approval requests.

3) All documentation related to the employee's physical restrictions shall be provided to the employee's supervisor and Sheriff's Office Human Resources.

B. **County HR Submits Claim to Claims Associates:** The County Risk Manager will submit all claims to Claims Associates within 72 hours from when the incident occurred. Once Claims Associates acknowledges the claim and assigns a claim number, the County Risk Manager will notify the employee and Sheriff's Office Human Resources via email.

C. **Records:** The workers' compensation claim and all related documentation are maintained by the Pennington County Risk Manager and Sheriff's Office Human Resources according to established medical file retention policy. All correspondence received by the employee related to the workers' compensation claim should be forwarded to both walter.mcduff@pennco.org and pcco@pennco.org to ensure accurate records are kept.

D. **Further Information:** For complete details regarding requirements and benefits under Workers' Compensation, please refer to state statute (SDCL 62-7-10). For general information contact the Pennington County Risk Manager.

Note: All forms referenced in this policy can be found in GP 4-11.

GP 4-11: Worker's Compensation Reporting Paperwork

Chapter: Compensation and Benefits

Order No: 2012-09

Effective: 02-24-2010

Revised: 09-22-2023

Approved by: Sheriff Brian Mueller

Reference: [South Dakota Employer's First Report of Injury Form](#)
[Authorization for Release of Information Form](#)

Provider Information and Restrictions Form (attached)

Employee's Report of Injury Form

Classification: Public

SOUTH DAKOTA DEPARTMENT OF LABOR AND REGULATION
DIVISION OF LABOR AND MANAGEMENT
 Tel: 605.773.3681 dlr.sd.gov

FIRST REPORT OF INJURY

GENERAL INSTRUCTIONS

EMPLOYEE

1. Notify supervisor immediately of injury.
2. Complete all questions in the EMPLOYEE and INJURY/TREATMENT sections.
3. Sign the form.
4. Submit this form to your employer within 24 hours after the injury.

EMPLOYER

1. Complete all questions in the EMPLOYER/EMPLOYMENT sections.
2. Sign the form.
3. Submit this form to your workers' compensation insurance carrier within 72 hours of knowledge of the occurrence of the injury.
4. Give a copy of the form to the injured employee.
5. Keep the copy of the First Report of Injury for at least four (4) years from the date of injury, as required by SDCL 62-6-1.

BODY PART CODES

02	Blindness one eye	44	Chest, including ribs sternum, soft ribs	78	Ring finger at metacarpal bone
03	Blindness both eyes	48	Internal organs-other than heart, lungs	79	Ring finger at proximal joint
04	Deafness both ears	49	Heart	80	Ring finger at middle joint
05	Deafness one ear	51	Hip	81	Ring finger at distal joint
10	Multiple head injury	52	Upper leg	82	Little finger at metacarpal bone
11	Skull	53	Knee	83	Little finger at proximal joint
12	Brain	54	Lower leg	84	Little finger at middle joint
13	Ear(s)	55	Ankle	85	Little finger at distal joint
14	Eye(s)	56	Foot	86	Great toe metatarsal bone
17	Mouth	57	Toe (other than greater)	87	Great toe at proximal joint
19	Face (facial bones)	58	Toe (greater)	88	Great toe at distal joint
20	Multiple neck injury	60	Lungs	90	Multiple injury
21	Vertebrae	61	Groin	92	Other toe metatarsal bone
22	Disc	67	Thumb metacarpal bone	93	Other toe at proximal joint
24	Other	68	Thumb at proximal joint	94	Other toe at middle joint
31	Upper arm	69	Thumb at distal joint	95	Other toe at distal joint
32	Elbow	70	Index finger at metacarpal bone	96	Little toe metatarsal bone
33	Lower Arm-forearm	71	Index finger at proximal joint	97	Little toe at distal joint
34	Wrist	72	Index finger at middle joint		
35	Hand	73	Index finger at distal joint		
37	Thumb	74	Middle finger at metacarpal bone		
38	Shoulder	75	Middle finger at proximal joint		
41	Upper Back	76	Middle finger at middle joint		
42	Lower Back	77	Middle finger at distal joint		

Cause of Injury Codes

01	Body reaction/over reaction (includes chemicals)	70	Striking against or stepping on
03	Temperature extremes	78	Struck or injured by moving parts of machine
13	Caught in/under/between	81	Struck or injured, includes knife or sharp object, kicked, bit, etc. – struck by object, worker, patient, etc.
25	Fall from elevation	89	Hostile attack-person in act of crime
29	Fall from same level	90	Other than physical cause of injury
50	Motor vehicle	94	Repetitive motion – callous, blister, etc.
56	Bending/Lifting	97	Repetitive motion-carpal tunnel syndrome, etc.
65	Machinery/Equipment	99	Other

Nature of injury codes

00	Not applicable
01	Allergy
02	Disfigurement
71	Occupational disease
72	Hearing loss

South Dakota Employer's First Report of Injury

E M P L O Y E	SSN: _____ Date of Birth: _____ Gender: M <input type="radio"/> F <input type="radio"/> Dependents: _____ Name: (Last) _____ (First) _____ (Middle initial) _____ Mailing Address: _____ City: _____ State: _____ Zip: _____ Telephone No.: _____ Employee signature: (X) _____ Date _____	Education: <input type="checkbox"/> Less than High School <input type="checkbox"/> GED or High School <input type="checkbox"/> Beyond High School	
	Date of Injury: _____ Time of Injury: _____ a.m. <input type="checkbox"/> p.m. <input type="checkbox"/> Fatality Date (if applicable): _____ County Where Injury Occurred: _____ Was Safety Equipment Provided? Yes <input type="checkbox"/> or No <input type="checkbox"/> Time Work Day Began on Date of Injury: _____ a.m. <input type="checkbox"/> p.m. <input type="checkbox"/> Was Safety Equipment Used? Yes <input type="checkbox"/> or No <input type="checkbox"/> Date Returned to Work (if applicable): _____ Did Injury Occur on Employer Premises? Yes <input type="checkbox"/> or No <input type="checkbox"/> Address or Location of Injury: _____ Description of Injury: _____ _____ _____ Date Employer Notified of Injury: _____ Injury Reported to: _____ Witness: _____	(See Codes on Second Page) Body Part Injured _____ _____ (If code 90, Multiple Injury, please specify body part codes for each body part injured.) _____ _____ Nature of Injury _____ Cause of Injury _____	
I N J U R Y / T R E A T M E N T	Type of Treatment (please check one) <input type="checkbox"/> No Treatment <input type="checkbox"/> On-Site Treatment <input type="checkbox"/> Clinic <input type="checkbox"/> Emergency Room <input type="checkbox"/> Hospitalization	If treatment sought, please specify provider of treatment: Medical Practitioner, Clinic or Hospital Name: _____ Mailing Address: _____ City: _____ State _____ Zip _____ Telephone No.: _____	
	EMPLOYER/EMPLOYMENT INFORMATION:		
Federal ID No.: <u>46-6000381</u> # Employees: <u>850</u> Employer Name (DBA): <u>PENNINGTON COUNTY</u> Mailing Address: <u>PO BOX 6160</u> City: <u>RAPID CITY</u> State: <u>SD</u> Zip: <u>57709</u> Telephone No.: <u>(605) 721-6112</u> County Where Employer Located: <u>PENNINGTON</u> HR signature: _____ Date _____		Employment Type: <input type="checkbox"/> Regular or <input type="checkbox"/> Temporary Emp. Status: <input type="checkbox"/> FT <input type="checkbox"/> PT <input type="checkbox"/> Seasonal <input type="checkbox"/> Volunteer Date Employee Hired: _____ Employee's Position: _____ Employee's Time in Current Position: _____ Employee's Hours Per Week: _____ Employee's Current Wage: \$ _____ per _____	
CLAIM OFFICE INFORMATION NAICS for Employer Being Insured (Nature of Business): _____ Carrier Code _____ FEIN (Claim Office) _____ Claim Office _____ Claim Office Address _____ City _____ State _____ Zip Code _____ Telephone _____ Email Address _____ Claim Office Claim # _____ Date Notified _____ Date to DOL _____		<input type="checkbox"/> Check if Claim Office is same as Insurance Provider If not, you must complete the following UNDERLYING INSURANCE PROVIDER INFORMATION Carrier Code (If applicable) _____ FEIN (Insurance Provider) _____ _____ Represented Entity Name _____ Address _____ City _____ State _____ Zip Code _____ Telephone Number _____ Policy Number _____ Effective Dates _____ Adjuster/Contact Person _____	

AUTHORIZATION FOR RELEASE OF INFORMATION

Patient Name: _____ Social Security Number: _____
Address: _____ Date of Birth: _____

I hereby request and authorize: All Providers
to release the following health information:

- | | | |
|--|--|---|
| <input type="checkbox"/> Standard Chart Copy | <input type="checkbox"/> History and Physical | <input type="checkbox"/> EKG |
| <input type="checkbox"/> Operative Report | <input type="checkbox"/> Discharge Summary | <input type="checkbox"/> Pathology Report |
| <input type="checkbox"/> Other _____ | <input checked="" type="checkbox"/> Entire Medical Record, dated _____ | |

To the recipient: SDML WC Fund c/o
CLAIMS ASSOCIATES, INC/REHAB ASSOCIATES
PO Box 1898
Sioux Falls, SD 57101

For the purpose of: Workers Compensation Claim Investigation

I understand the above requested information may contain sensitive medical information, such as information regarding HIV/AIDS status, infectious diseases, pregnancy status, mental illness, and addictions, and I specifically agree to the release of this information.

This Authorization is effective until the information requested has been released. I know I may have the right to revoke this Authorization by contacting the releasing facility.

I understand that I am under no obligation to sign this Authorization. I further understand that the recipient is not subject to the Health Insurance Portability and Accountability Act of 1996, and therefore the requested information may not be protected once it is released. I understand my right to inspect or obtain copies of this information under 45 CFR 164.524.

I hereby give the referenced medical provider(s) permission to disclose and discuss my medical information with the above noted recipients, and I release the referenced medical provider(s) from any liability or loss due to the release of any medical information. I understand that all information released will be handled confidentially and in accordance with all applicable laws.

Signature of Patient or Personal Representative _____	_____ Date
_____ Relationship to Patient if Representative	_____ Signature of Witness

Employee's Accident Report

Employee's Name _____

Telephone Number _____ Date Completed _____

For dog bite injuries, was the dogs shot records verified? _____

What was the nature of the injury? Describe in detail. _____

Describe fully how the accident happened? What was employee doing prior to the event? What equipment, tools being using? _____

Date of Event _____ Time of Event _____

Exact location of event: _____

What caused the event? _____

Were safety regulations in place and used? If not, what was wrong? _____

Employee went to doctor/hospital? Doctor's Name _____

Hospital Name _____

Names of all witnesses:

Supervisor's Accident Report

Supervisor's Name _____

Telephone Number _____ Date Completed _____

Injured Person's Name _____

For dog bite injuries, was the dogs shot records verified up to date? _____

What was the nature of the injury? Describe in detail. _____

Describe fully how the accident happened? What was employee doing prior to the event? What equipment, tools being using? _____

Date of Event _____ Time of Event _____

Exact location of event: _____

What caused the event? _____

Were safety regulations in place and used? If not, what was wrong? _____

Employee went to doctor/hospital? Doctor's Name _____

Hospital Name _____

Supervisor's corrective action to ensure this type of accident does not reoccur:

For Sheriff's Office Only



Pennington County Sheriff's Office Provider and Restrictions Form

The Pennington County Sheriff's Office may provide restrictive duty assignments for qualified personnel who are unable to perform the essential functions of their jobs. The goal of restrictive duty is to facilitate a return to work at the employee's regular job assignment. Please complete the below so we may appropriately assess the employee's abilities. Thank you for your assistance.

Patient Name: _____ Date: _____

Provider Name: _____ Phone: _____

Diagnosis: _____

Treatment Plan: _____

Date Can Return to Work with Restrictions: _____

Date Anticipated will Return to Full Duty: _____


Below is a list of essential functions that the patient may perform during the course of their day.

Description	Cannot Perform	Hours Can Perform (1-12)	No Restrictions
Lift up to 25lbs			
Lift up to 50lbs			
Lift up to 100lbs			
Push/ Pull up to 25lbs			
Push/ Pull up to 50lbs			
Push/ Pull up to 100lbs			
Operate a Vehicle			
Climb Stairs			
Use a Firearm/ Taser			
Perform Proactive Law			
Restrain Unruly Subjects			
Respond to Medical Emergencies			
Perform Clerical Duties			
Run			
Walk			
Stand			

Additional Comments: _____

Provider's Signature: _____ Date: _____


Please contact PCSO HR if you have any questions or concerns at 605-394-6113. Pennington County complies with the Genetic Information Non-Discrimination Act of 2008. Please refer to County Policy 1.3 with any questions or concerns.



SDML Workers' Compensation Fund
Call Immediately
877-899-9112

- Report injury to your employer immediately.
- You may choose your initial medical provider. Any referral to any other medical provider must be pre-approved.
- Your medical provider should call the above number for pre-approval requests.

All injuries involving non-emergency care should contact the Rehab Associates (RA) triage nurse before seeking medical care. For injuries involving emergency care, the employer and/or employee is to contact the RA triage nurse as soon as possible. The RA nurse will assist employee with coordinating the medical care.

REHAB


Toll free: 877.899.9112
Fax: 605.333.9835

GP 4-20: Non-Exempt Employees: Compensation for Off-Duty Work Related Activity

Chapter: Compensation and Benefits
Order No: 2012-09
Effective: 06-16-2008
Revised: 02-20-2024
Approved by: Sheriff Brian Mueller
Reference:

I. Policy

- A. This policy provides guidance for determining compensable hours of work resulting from off-duty work-related activities. This policy has been adopted in order that compliance with the Fair Labor Standards Act may be assured and applies to all Sheriff's Office non-exempt personnel (eligible for overtime pay and compensatory time).

II. Definitions

- A. N/A

III. General Information

- A. This policy refers to activities that are expected of the employee, not activities the employee does voluntarily (such as checking phone messages or e-mails from home).

IV. Procedural Guidelines

A. Off-Duty Work-Related Activities

1. All planned off-duty work must be approved in advance by the Direct Supervisor, Commander, Director, Chief Deputy or Sheriff. Hours worked are to be recorded on the time sheet according to this policy. Examples of work-related activities include:
 - a. Supervisory duties (performance appraisals, scheduling, planning, etc.)
 - b. Research
 - c. Special Events
 - d. Presentation of the Pennington County Sheriff's Office (recruiting, marketing, public relations, etc.)
 - e. Meetings
2. Typical unplanned off-duty work-related activities include:

- a. Supervisory duties (schedule changes, incident briefings, investigation callouts, critical incident updates, case staffing, etc.)
 - b. Communication with or actions regarding client, inmate, or detainee
 - c. Technical assistance
3. Upon completion of the work week, the total of off-duty hours will be rounded to the nearest quarter hour. The employee will be compensated according to established procedures.

B. Responsibilities:

1. Employees are responsible for tracking actual time spent in off-duty work-related activities and reporting such on the designated time sheet in accordance with this policy.
2. Employees are responsible for notifying the Supervisor of both planned and unplanned off-duty work-related activities. Timely notification will allow the Supervisor to consider adjusting other assignments during the work week to avoid overtime compensation or compensatory time off.
3. The Supervisor is expected to verify off-duty activities in a manner consistent with verification of other time sheet content.
4. This policy does not cover all possible situations. Questions should be addressed to the HR Manager who will consult the FLSA for clarification.
5. The HR Manager is charged with maintaining consistent implementation and revision of this policy as appropriate.

GP 4-22: Out of Class Pay Differential Application

Chapter: Compensation and Benefits

Order No: 2015-06

Effective: 09-16-2008

Revised: 10-15-2023

Approved by: Sheriff Brian Mueller

Reference:

Classification: Public

I. Policy

- A. This policy provides guidance related to out of class compensation.

II. Definitions

- A. **Training Officer:** An individual who has been selected and completed training related to a specialized training model involving adult learning and problem-based learning techniques. The Training Officer is assigned to train a new employee how to perform the duties of specified positions within the Sheriff's Office. Please refer to the corresponding Correctional Training Officer and Deputy Training Officer Policies.
- B. **Ancillary Duties:** An individual who has been selected and completed training related to specific high-risk/high liability ancillary duties.
- C. **Instructor:** An individual who has been selected and completed training related to instructing on a specialized topic.
- D. **On the job trainer:** Trainer that is designated and approved by the supervisor.

III. General Information

Out of Class Pay may be used to compensate non-exempt employees who perform substantial work requiring additional training, responsibilities, risk and/or knowledge above and beyond those of their job description and normally assigned duties.

IV. Procedural Guidelines

- A. **Acting Supervisor Pay Differential:** Effective October 15, 2023 each employee of the PCSO that holds the designation of acting supervisor will receive a \$2.00 per hour pay differential for their entire shift while being utilized as the acting supervisor. Out of class pay will not be applied to any leave benefit time.
- B. **Full Time Training Officer Pay Differential:** Effective October 15, 2023 each employee of the PCSO that holds the designation of full-time training officer will receive a \$1.00 per hour pay differential in addition to their regular pay upon completion of required train the trainer's coursework. Out of class pay will not be applied to any leave benefit time.

- C. **Part Time Training Officer Pay Differential:** Effective October 15, 2023 each part-time training officer will receive a \$1.00 per hour pay differential for the entire shift while being utilized as a training officer. Out of class pay will not be applied to any leave benefit time.
- D. **Ancillary Duty Pay Differential:** Effective October 15, 2023 each employee of the PCSO that holds the designation of high-risk/high liability ancillary duty and is assigned to one of the following will receive a \$1.00 per hour pay differential during their entire shift when activated, assigned to, or training for the approved ancillary duty. Out of class pay will not be applied to any leave benefit time.
1. **Ancillary Duties Include:**
- a. Special Response Team
 - b. Mobile Response Team
 - c. Water Rescue Team
 - d. Deputy Coroner
 - 1) The Primary Deputy assigned to the coroner call who is responsible for the on-scene investigation and initial coroner report. A secondary deputy coroner may be compensated on complex cases with the assignment and approval of the on-duty supervisor.
 - e. Other specialized duties as approved by the Sheriff or Chief Deputy
- E. **Instructor Pay Differential:** Effective October 15, 2023 each employee of the PCSO that holds the preapproved designation of Instructor will receive a \$1.00 per hour pay differential during their entire shift while being utilized as an instructor. Out of class pay will not be applied to any leave benefit time.
- F. **On the Job Trainer Pay Differential:** Effective October 15, 2023 each employee of the PCSO that holds the preapproved designation of On the Job Trainer will receive a \$1.00 per hour pay differential during their entire shift while being utilized as an On the Job Trainer. Out of class pay will not be applied to any leave benefit time.
- G. Development of new training material may be compensated at \$1.00 per hour at the direction of and with pre-approval from the PCSO Training Manager.
- H. An employee shall not receive more than \$3.00 per hour for any combination of the above items.
- I. The responsibility of documenting specialized hours within the current pay period falls upon the employee and their supervisor. Employees will not receive back pay in cases of missed documentation.

GP 4-23: Exempt Employee Pay Practice

Chapter: Compensation and Benefits

Order No: 2012-09

Effective: 06-16-2009

Revised: 02-20-2024

Approved by: Sheriff Brian Mueller

Reference:

Classification: Public

I. Policy

- A. This policy provides consistency within the Sheriff's Office pertaining to the way exempt employees are treated related to scheduling and documenting time at and away from work.

II. Definitions

- A. Exempt employees are not employees eligible for overtime pay or compensatory time off.

III. General Information

- A. This policy applies to all Sheriff's Office employees who are exempt from overtime, hereafter called "exempt".

IV. Procedural Guidelines

A. Work Schedule:

1. Employees classified as exempt will receive a salary which is intended to compensate them for all hours worked including those outside the defined work week.
2. Exempt employees are expected to maintain a work schedule that ensures their division, section, or area of responsibility is operating at an efficient and acceptable level.
3. Actual daily work time is not required to be tracked on a time sheet. Exempt employees do not receive compensation based on hours worked. Any documentation of hours worked is voluntary.

B. Time Off:

1. Holiday hours, vacation hours, sick leave and personal leave accrual rates are outlined in the Pennington County employee handbook. All benefited time used will be documented in the appropriate location by the employee on their timesheet to be tracked by the Sheriff's Office accountants and the Auditor's Office.

2. Exempt employees who work part of a work day and need to leave early for personal business are not required to utilize tracked leave (vacation or holiday hours) to offset the remainder of the day. An exempt employee may take an entire day of leave without utilizing tracked leave if meetings, emergencies, or other commitments have caused them to work an abundance of hours within a recent period of time.
3. Exempt employees are expected to clear requested time off through their chain of command as deemed appropriate by the Sheriff, Chief Deputy, Commander, or Director.

C. Inclement Weather:

1. Exempt employees are to use their best judgment regarding travel and reporting to work when county offices are closed due to inclement weather.
2. If the employee determines it is not safe or is impractical to report to work, support to staff members can be provided over the phone or via email.
3. With regards to absence due to inclement weather, the exempt employee will complete their time sheet as appropriate. There is not a requirement to utilize paid time off for such an absence.

D. County Offices closed for non-holiday purposes.

4. Exempt employees are not required to use accrued leave on any non-emergency facility closure if Pennington County Administrative offices are closed (i.e. day after Thanksgiving, ½ day on Christmas Eve).

GP 4-30: On Call and Standby Compensation

Chapter: Compensation & Benefits

Order No: 2021-03

Effective: 12-17-2021

Revised: 12-29-2023

Approved by: Sheriff Brian Mueller

Reference:

Classification: Public

I. Policy

- A. This policy provides details compensable and non-compensable time for non-exempt employees who are placed into an on call or standby status. This policy meets the Fair Labor Standards Act (FLSA) requirements.
- B. Understanding the on call or standby status can cause burden to employees. This policy also provides a mechanism for compensation when not required under FLSA at the discretion of the Sheriff or designee.

II. Definitions

- A. **On Call** - An employee who is engaged to wait and unable to use their time for their own purposes, typically on employer premises and/or with unreasonable geographic or response time restrictions.
- B. **Standby** - An employee who is waiting to be engaged. Employee who is notified there is potential for work but able to use their time for their own purposes. This can require remaining accessible by phone, within reasonable geographic response time and activity restrictions such as the non-consumption of alcoholic beverages.

III. General Information

- A. This policy applies to all Sheriff's Office employees who, based on their job classification, are tasked with staffing an on call or standby incident as conditions require or as a normal part of their position requirements.
- B. This policy provides general guidance to common scenarios relating to on call and standby compensation. Should there be an incident not addressed, those compensation questions should be directed to Human Resources and/or the Sheriff for review.

IV. Procedural Guidelines

- A. Employees working in positions requiring standby rotations outside of normal working hours will work into those rotations at the discretion of their supervisor. Employees in these positions typically have the option to adjust their rotations through their supervisors to avoid personal conflicts.
 - 1. These positions typically include:
 - a. Deputy Sheriffs, Sergeants and Crime Intelligence Analyst assigned to the criminal investigations work group
 - b. Registered Nurses, Licensed Practical Nurses and Paramedics
 - 2. These positions require response time restrictions, ability to be contacted by phone and non-use of alcoholic beverages. Response times for those assigned to the criminal investigations work group typically require response to the scene/office within 30 miles.
 - 3. These standby rotational assignments are compensated for actual time worked to the nearest 15-minute interval and recorded by the employee with a note on their timesheet.

- B. Employees working in positions that are placed on standby rotations as a result of an anticipated or active major incident will be notified as soon as practical. Expectations may include response times, availability by phone and restrictions on activities such as alcohol consumption.
 - 1. These positions typically include:
 - a. Deputy Sheriff ranks assigned to all work groups
 - b. Correctional Officer ranks assigned to the Jail and Juvenile Services Center.
 - c. Transport Officers
 - 2. These non-routine standby assignments may include minimum compensation for wait time for those in non-exempt position classifications at discretion of the Sheriff or designee. Compensation will be communicated in advance or as soon as practical and be entered onto the employee's timesheet upon supervisor approval.

GP 4-35: Alternative Work Schedules

Chapter: Compensation and Benefits

Order No: 2017-05

Effective: 09-13-2017

Revised: 07-24-2024

Approved by: Sheriff Brian Mueller

Reference:

Classification: Public

I. Policy

- A. It is the policy of the Pennington County Sheriff's Office (PCSO) to provide full-time, non-exempt employees not serving in a post position the opportunity to request alternative work schedules to promote work/life balance. The PCSO encourages supervisors to consider flexible working schedules in their divisions to accommodate the needs of their employees for whom alternate hours are beneficial.

II. Definitions

- A. **Regular Work Schedule:** The normal PCSO work schedule for non-shift positions operating within normal business hours is a nine-hour day, with an hour off for lunch, resulting in eight hours worked.
- B. **Alternative Work Schedule (AWS):** A pre-scheduled, fixed, and continuous schedule of hours that deviates from the regular work schedule of the PCSO. Examples include:
 1. Four ten-hour days
 - a. This schedule consists of a four-day work week. The employee works four days a week for ten (10) hours per day. The four (4) days need not be consecutive.
 2. Four nine-hour days and one four-hour day
 - a. This schedule consists of a five-day work week. The employee works for nine (9) hours per day for four (4) days and the remaining four (4) hours on the fifth day.
- C. **Office Core Hours:** The hours of 8:00am to 5:00pm, Monday through Friday, in which every public-serving division of the PCSO is required to be staffed and open.
- D. **Backup Coworker:** An employee with similar roles and abilities within the division that can cover a coworker who is gone on flex time.

III. General Information

- A. The elected AWS may vary in the number of hours scheduled per day. The schedule may not exceed ten (10) working hours per day. If an unpaid lunch is elected or required by division needs, the employee is to take lunch in the middle of his or her shift, or between the hours of 11 a.m. and 1 p.m.
- B. No AWS schedule will be approved which results in “built-in overtime” based on the rules or provisions of the Fair Labor Standards Act.
- C. The PCSO recognizes that it will not be possible to accommodate all such requests for AWS scheduling. Each division supervisor has the discretion to implement flexible scheduling based on core hours and the necessity of the request.
- D. Flexible scheduling of starting and ending times may be authorized by the division supervisor to maximize personnel, service and production efficiency provided that the Office Core Hours are covered.
- E. AWS schedules must include Office Core Hours unless specified by position needs or supervisor approval.
- F. Annual sick, holiday, and vacation accrual will not change.
- G. AWS scheduling may be altered or suspended during scheduled holiday weeks and/or annual vacation picks that impact the workgroup.
- H. Expectations for employees participating in flexible work schedules
 1. It is the expectation of all participating employees that they will make every effort to schedule routine personal and family medical, dental, and miscellaneous appointments to occur during flex time. It is understood that emergencies arise and some appointments cannot mesh with a set schedule. However, it is necessary that attendance, arrival and departure times be maintained and for disturbances in office functions to be minimalized.
 2. Participating employees are expected to communicate and cooperate with his or her backup coworker(s) to ensure ample coverage during time in which he or she is out of the office.
 - a. For example, employees who are backups of one another must schedule their flex days off on alternative days.
 3. If an employee is found to be abusing AWS scheduling, he or she will lose the privilege for all alternative scheduling for six months. After that time, they may be given the option to reapply.
- I. AWS scheduling must not be detrimental to normal operations of the PCSO. Items to be considered by the division supervisor prior to approval of an alternative or flexible work schedule include:

1. Budgetary limitations
 2. Safety concerns
 3. Liability issues
 4. Customer service requirements
 5. Communication and cooperation with co-workers
 6. Equipment availability
 7. Access to support staff
 8. Need for supervision
 9. FLSA concerns
- J. Full-time employees' total hours for a one-week pay period must be equal to 40 hours as specified in Pennington County Policy 3.12.
- K. A division supervisor, at his or her sole discretion, may implement, continue, or discontinue AWS work schedules on a weekly basis depending on division or office needs. Further, the division supervisor may reassign an employee to Office Core Hours at any time.
- L. Each division supervisor, and subsequently Chief Deputy and Sheriff, will have final discretionary authority for flexible and alternative work schedule requests.
1. Some departments may be unable to offer flexible work schedules for some positions and/or during certain times of the year.
 2. Employees are required to work amongst their workgroup to make sure division operations are maintained throughout their absence.

IV. Procedural Guidelines

- A. Any employee requesting approval for AWS scheduling will submit an Alternative Work Schedule Request to their immediate supervisor. The request should summarize the request hours of flexible scheduling, reasoning behind the request, and explanation of how hours will be covered when the employee is out of the office.
1. Employees may select from the following for an alternative scheduling:
 - a. Four, ten-hour days in one workweek;
 - b. Four, nine-hour days and one, four-hour day in one workweek;
- B. The immediate supervisor will review the request with the division captain, commander, or director. The following factors will be considered at this level:
1. Feasibility of the hours request

2. Workgroup adjustments that may need to be made to cover employee
 3. Employee probationary status
- C. If the division captain, commander or director chooses to endorse the request, they shall forward the AWS to the appropriate Chief Deputy or Sheriff for final consideration. If they choose to deny the request, they shall forward a corresponding memo to the Chief Deputy for review.
- D. The Chief Deputy will approve or deny the request in writing to the employee.

GP 4-35: Appendix A: Alternative Work Schedule Request Form

Employee name: _____

Title: _____

Division: _____

Date: _____

Alternative Work Schedule Requested:

Monday: _____ to _____

Tuesday: _____ to _____

Wednesday: _____ to _____

Thursday: _____ to _____

Friday: _____ to _____

Will this schedule occur:

Every week: _____ Every other week: _____

Other (please explain): _____

Reason for AWS Request:

Will core business hours be covered? Please explain:

Employee Signature: _____ Date: _____

Direct Supervisor Comments:

Supervisor Signature: _____ Date: _____

- Approved
- Denied

Captain, Commander, or Director Comments:

Supervisor Signature: _____ Date: _____

- Approved
- Denied

Chief Deputy/Sheriff's Comments:

Chief Deputy/Sheriff Signature: _____ Date: _____

- Approved
- Denied

GP 4-40: Take Home Vehicle Agreement

Chapter: Compensation and Benefits

Order No: 2019-4

Effective: 5-19-2019

Revised: 07-24-2024

Approved by: Sheriff Brian Mueller

Reference:

Classification: Public

V. Policy

- A. The Pennington County Sheriff's Office provides a county vehicle to certain employee classifications and assignments. These vehicles upon agreement may be used to commute to and from work to the employee's residence. This includes residences located outside of Pennington County.

VI. Definitions

- A. N/A

VII. General Information

- A. This policy assumes the guidelines outlined in Pennington County Policy 2.12 Use of Equipment and Vehicles and Sheriff's Office Global Policy 512-04 Vehicle Marking and Inspection are adhered to in agreement for continued usage of a take home vehicle.
- B. Time spent communizing from home to work and work to home is non-compensable in accordance with the Portal-to-Portal Act. This includes employees commuting in marked vehicles.
- C. Employees operating county vehicles during their commute who respond per their job duties will be compensated upon commencement of those duties.
- D. Any compensable time is subject to supervisor review and approval. Unapproved or unnecessary work time may be cause for disciplinary action.
- E. Any time an employee feels they cannot adhere to this or the aforementioned policies they may relinquish use of their assigned vehicle for commuting purposes. They may leave the vehicle at work during non-working hours and during paid leave periods.

GP 4-60: Employee Death or Serious Injury

Chapter: Compensation and Benefits

Order No: 2015-07

Effective: 12-18-2015

Revised: 12-29-2023

Approved by: Sheriff Brian Mueller

Reference:

Classification: Public

I. Policy

This policy will provide a guideline for Sheriff's Office procedure, assistance and benefits for employees seriously injured or killed on or off duty. This policy is accompanied by an all-inclusive assistance guide including checklists and role assignments that may be referred to during a crisis, [The Badge of Honor Agency Casualty Assistance Guide \(link\)](#).

II. Definitions

A. N/A

III. General Information

- A. The Sheriff's Office is committed to providing compassionate resources and support to employees and their families upon serious injury or death. Employees will be provided a team to assist in the coordination of their recovery, applicable survivor benefits and to assist with funeral services. The Sheriff's Office will put the employee and/or their family's wishes first when coordinating services.
- B. Human Resources Department will gather and maintain employee emergency notification information in the personnel file. The information will be accessible to the employee's supervisor and chain of command. Employees are responsible for notifying human resources of an emergency contact change. Employees are highly encouraged to have a living will or their wishes documented for their surviving family members.

IV. Procedural Guidelines

A. Notification

1. Chain of Command

- a. In the event of serious bodily injury or death of any Sheriff's Office employee, the information should be forwarded to the on-duty division supervisor who shall immediately notify the Sheriff, Chief Deputy (s) and the employee's Commander as well as any other notification normally required. This notification shall take place whether the injury or death occurred on or off duty.

- b. No specific information about the injury, identity of the employee, or other information shall be discussed over the radio.

2. Emergency Contact and Immediate Family Notification

- a. The Sheriff or designee will locate the employee's emergency notification information and will be responsible for notifying the employee's family of the event, the condition of the employee and their location.
- b. This notification should be done in person, when possible, and as soon as possible following the event.
- c. The individual making the notification should not be involved in any aspect of any pending investigation of the incident and should remain available to the family as long as possible.
- d. The individual may also be available to assist with the notification of other family members or support providers on behalf of the immediate family.
- e. A guide to death notification techniques can be found on page 3 of the Agency Casualty Assistance Guide.

3. Staff Notification

- a. Sheriff's Office staff will be promptly notified by their division supervisors of the facts and circumstances of the event. The format of the notification will be at the discretion of the Sheriff and may include restrictions on the sharing of information, particularly on social media, and the name of the family liaison as a point of contact for support offerings.

4. Media and Public Information Releases

- a. The Sheriff will designate a Public Information Officer as the point of contact for all media inquiries, information releases and the publication of any information provided by the Sheriff's Office.
- b. Information will not be release to the media until all immediate family members and staff are notified. The content and format of the media release will be at discretion of the Sheriff.
- c. Prior to the release of the employee's condition, location and family members the information will be reviewed with the family.

B. Line of Duty Injury or Death Staffing

- 1. If the notification of the employee's serious injury or death renders current staff unfit to continue their shift or the incident requires on-duty staff to cease their current duties, the on-duty supervisor will notify their chain of command to provide shift relief or assistance of another agency.

2. On duty staff should be allowed to notify their immediate family members when applicable.
3. A critical incident debrief, onsite psychological services, Chaplains and the employee assistance program will be made available to all affected employees.

C. Family Assistance

1. Transportation
 - a. If the employee's immediate family members wish to go to the hospital or other location, they should not be required to drive themselves.
2. Provider, Visitor and Support Coordination
 - a. Immediately staff should be designated to assist the family in communicating essential information to the hospital upon admission, manage visitors and record donations or services rendered.
 - b. This designee (s) should remain at the hospital and available to the family through the duration of the event.
 - c. Information regarding the point of contact for donations and visitation should be released to the public upon consent of the family.
3. Household Management
 - a. A designee should be offered to assist with child care, home maintenance, errands, visiting family travel and lodging arrangements and any requests applicable to alleviate stress on the immediate family and/or employee.
4. Return to work
 - a. As the injured employee returns to duty, follow up assistance should continue to be offered. This may include, transportation to appointments, home maintenance or other services pertinent to recovery.
 - b. The employees return to work will be supported within the confines of employment law and employer policy.
 - c. If unable to return to work following injury, the Sheriff's Office will assist in the exit process to ensure the celebration of duty and filing of all applicable benefits.
5. Counseling and Psychological Services
 - a. Available services should be offered to the family and employee to assist in their recovery process.
 - b. Upon return to work following serious injury, the employee may be required to complete a fit for duty evaluation.

6. Criminal or Civil Process

- a. If the incident results in criminal or civil court proceedings a designee will provide the employee and/or family with updates and assist in the understanding of the process.

7. Additional liaison roles and guidelines for support can be found in the above linked Agency Casualty Assistance Guide.

D. Funeral Arrangements

1. In the event a full law enforcement funeral may be conducted, the Sheriff will have overall responsibility to coordinate services. The Sheriff will assign tasks upon the families wishes to complete the following:

- a. Preparation and dissemination of service details
- b. Funeral home selection, visitation, standing of guard and employee dress uniform
- c. Public visitation or memorial services
- d. Funeral services, seating, traffic control and procession
- e. Gravesite services and reception
- f. Coordination with other law enforcement agencies

2. The Pennington County Sheriff's Honor Guard will offer and provide services to the family.

3. In the event of an employee death not in the line of duty, a liaison shall still be provided to assist the family with any of the above.

E. Compensation and Benefits

1. Following the death or serious injury of an employee, the family liaison and human resources will work with the family to coordinate the compensation and benefits process. Below is a summary list of entities that may be applicable. Thorough research should be conducted into all benefits available based upon the situation.

- a. [State of South Dakota Death Benefits Available to the Surviving Families \(link\)](#)
- b. [Public Safety Officers Benefits Program \(link\)](#)
- c. Health Insurance
- d. Federal Workers Compensation
- e. South Dakota State Retirement System

- f. County Employee Life Insurance
- g. Other Line of Duty Death Survivor Assistance

GP 4-80: Compensatory Time

Chapter: Compensation and Benefits

Order No: 2012-10

Effective: 08-09-2012

Revised: 02-20-2024

Approved by: Sheriff Brian Mueller

Reference:

Classification: Public

I. Policy

- A. When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. In accordance with Pennington County pay practices and the Fair Labor Standards Act, the Pennington County Sheriff's Office allows non-exempt employees in specified job classifications and division to elect compensatory time off in lieu of overtime pay.

II. Definitions

- A. **Compensatory Time:** Compensatory time off received in lieu of wages for hours worked over 40 in a work week. Such time must be at the rate of one and one-half hours of compensatory time for each hour of overtime work, just as the monetary rate for overtime work is calculated.

III. General Information

- A. Determinations regarding job classification approval for designation of compensatory time will be at the direction of the Chief Deputy or Sheriff.
- B. Per County Policy 3.13, the maximum allowable accumulation of compensatory time is 40 hours.

IV. Procedural Guidelines

- A. The management of compensatory time use and accumulation will be the responsibility of employee's direct supervisor.
 - 1. The timeclock management system shows the accrual bank for each employee.
 - 2. A supervisor may direct the employee to use compensatory time according to the scheduling and staffing needs of the work group. This shall be accomplished in the most reasonable manner, considering the employee's personal situation (e.g., child care).
 - 3. The maximum allowance accumulation of compensatory time is 40 hours; time in excess of this limit is paid as overtime in the applicable payroll period.

4. All requests for leave must be submitted to the supervisor according to established leave requests.
- B. Employees who have earned overtime in a pay period and are eligible for compensatory time, must have their weekly hours reflect which form of compensation is preferred in the timeclock management system.
- C. For purposes of calculating overtime, hours of compensatory time used are not considered hours worked.
- D. An employee may request payment for some or all of the accumulated compensatory time. Such pay will be processed as part of the next scheduled pay cycle.
- E. Upon termination from employment for any reason, unused compensatory time will be reflected in the final pay.
- F. Anytime an employee is moved to a job classification which no longer earns compensatory time, the employee will have their unused compensatory time paid out to them on the next scheduled pay cycle.

GP 4-90: Court Appearances and Legal Action

Chapter: Compensation and Benefits

Order No: 2017-02

Effective: 08-01-2000

Revised: 07-24-2024

Approved by: Sheriff Brian Mueller

Reference:

Classification: Public

I. Policy

- A. The Pennington County Sheriff's Office recognizes the importance of employees fully carrying out their duties and responsibilities as related to judicial and administrative hearings and proceedings. As such, the Pennington County Sheriff's Office requires that employees appear at various court proceedings as needed, with the necessary evidence, records and other material; and, when required, be prepared to testify.

II. Definitions

- A. N/A

III. General Information

- A. Employees shall, upon being subpoenaed or notified by competent authority, attend court or administrative hearings.
- B. Permission to omit this duty shall be obtained from the prosecuting attorney handling the case or other competent court or hearing officials. If unforeseen emergency circumstances prevent or delay prompt attendance in court, the employee shall immediately notify the proper court or hearing official.
- C. Employees shall avoid any action that would indicate a special interest in securing a conviction or give an outward appearance of dissatisfaction with decisions. The position of an impartial public servant seeking justice is the only position justified.

IV. Procedural Guidelines

- A. Acceptance of Service of Process and Subpoenas:
 1. Employees shall accept all services of process legally served. If the service of process indicates, or if the employee is informed, the civil suit is against the office, the county or any other person, they shall notify the Sheriff immediately.
 2. Employees who receive more than one subpoena for the same time shall respond in accordance with the following protocol:
 - a. Federal District Court
 - b. Federal Magistrate Court

- c. State District Court
- d. Magistrate Court
- e. Administrative Hearings

3. In all cases, employees shall promptly notify the second court of the subpoenas received from the first court.

B. Suits against Employees:

- 1. Any employee who is being sued for an action arising from employment with the office shall ensure the Sheriff is notified immediately.

C. Testifying for the Defendant:

- 1. Any employee subpoenaed to testify for the defense by reason of being employed by the Pennington County Sheriff's Office, or against the Pennington County Sheriff's Office, the City of Rapid City, or the State of South Dakota in any hearing or trial shall ensure the Sheriff is notified immediately upon receipt of the subpoena.
- 2. An employee shall not volunteer to testify in civil actions and shall not testify unless legally subpoenaed.

D. Compensation for Court Appearance:

- 1. All fees received by an employee as a witness for a court appearance on duty shall be submitted to an office accountant.
- 2. Employees required to attend court outside their regular work schedule will be compensated a minimum of two hours paid leave or actual time if the assignment requires longer than two hours.

E. Personal Appearance in Court:

- 1. Employees shall be neat in their personal appearance and conduct themselves with dignity.
- 2. The official uniform or appropriate business attire shall be worn. If a court orders the wearing of clothing other than required by this manual, the court directive shall be obeyed.

F. Preparation:

- 1. Before appearing in court, employees shall organize and read their notes and reports.

G. Consulting with Attorneys:

1. Employees who are in doubt about how to present something which is relevant to a case should discuss the matter with the prosecutor or attorney subpoenaing the employee before trial.

H. Expert Witness Policy:

1. No employee shall be retained as an expert witness or consultant for compensation, in a case where the employee is involved directly as a result of their employment with the Pennington County Sheriff's Office.
2. This policy is not intended to apply when an employee is subpoenaed to testify under the provisions of either State or Federal Law.

GP 5-05: FBI – CJIS Compliance

Chapter: Department/Division Operating Procedures

Order No: 2020-3

Effective: 01-02-2020

Revised: 08-01-2023

Approved by: Sheriff Brian Mueller

Reference: CJIS Security Policy

Classification: Public

I. Policy

- A. This policy establishes procedures and guidelines to ensure compliance with the CJIS Security Policy.

II. Definitions

- A. **CJIS:** Criminal Justice Information Services
- B. **FBI:** Federal Bureau of Investigations
- C. **NCIC:** National Crime Information Center, an electronic clearing house of criminal justice information

III. General Information

- A. The purpose of CJIS is to protect the sources, transmission, storage, and generation of criminal justice information. Law enforcement needs timely and secure access to criminal justice information for stopping and reducing crime. The CJIS Security Policy provides appropriate controls to protect every aspect of criminal justice information. The CJIS Security Policy provides standards that every law enforcement agency must comply with.
- B. Pennington County Sheriff's Office is audited by the State every three years and by the FBI randomly. Any non-compliance must be addressed as soon as possible. The State and FBI require documentation of any non-compliance fixes.

IV. Procedural Guidelines

A. Confidentiality of Records

- 1. Employees of the Pennington County Sheriff's Office are authorized to access agency records and other criminal justice information in the performance of their duties.

2. Employees of the Pennington County Sheriff's Office are prohibited from accessing agency records and other criminal justice information for personal reasons, which are outside the scope of their duties.
3. Employees may not access agency records, other criminal justice records of other employees or potential employees for personal reasons, which are outside the scope of their duties and which are not authorized by a supervisor.

B. Records Security

1. Any computer software used by Pennington County Sheriff's Office employees shall be programmed to restrict access by the following criteria:
 - a. To all County computers.
 - b. Username and password.
 - c. Information Technology Supervisor's specific authorizations.
2. To comply with requirements from the FBI CJIS division, all employee passwords for criminal justice information systems that use NCIC must comply with the following password attributes:
 - a. Passwords shall be a minimum of eight characters, to includes at least one upper and one lower case letter, and one number or special character.
 - b. Passwords shall not be a dictionary word or proper name.
 - c. Passwords shall not be the same as the User ID.
 - d. Passwords shall be changed within a maximum of every 90 days.
 - e. Passwords shall not be identical to the previous 10 passwords.
 - f. Passwords shall not be displayed when entered.
3. Pennington County Sheriff's Office employees are required to log off or lock the computer when unattended. Any computer that is inactive for twenty minutes is automatically locked by the internal system settings. This policy is made to protect information stored from unauthorized access, and to protect the interests of the Pennington County Sheriff's Office and its' employees.

4. The Computer Technician will conduct quarterly audits to ensure all active accounts to the Records Management System are accurate. The quarterly audit will also include review of User Login Activity for suspicious activity such as several unsuccessful login attempts to the system. The findings will be documented.
5. Upon any employee leaving the employment of Pennington County Sheriff's Office, the employee's computer network account is disabled by designated Information Technology Division staff. Additionally, the State representatives will be notified if an employee leaves the department in order to disable CJIS and NCIC accounts if applicable.
6. All employees hired will be required to be CJIS certified. Each employee will need to recertify every two years. Employees required to utilize NCIC will be required to attend an initial certification class and then recertify every two years. Any employee that fails to recertify within the two-year window will need to attend the initial certification class and all NCIC access will be disabled until certified.
7. Upon discovery of any unauthorized access to department information systems, CJIS, and/or NCIC accounts, the Department's Agency Coordinator for the Sheriff's Office shall attempt to determine the method of access, and identify steps necessary to prevent further access violations. Additionally, any NCIC or CJIS security incidents will be reported externally to the controlling agency.

C. Additional FBI/CJIS Compliance

1. Security of Computer Terminals: Department employees shall strictly control physical access to any computer terminals displaying Criminal Justice Information. All visitors must be signed in to the visitor's log located in the Civil Department and shall be monitored at all times when near CJIS terminals. Under no circumstances will visitors be allowed to have unsupervised access to terminals displaying CJIS information.
2. E-mail Encryption: E-mails containing CJIS information, which are sent to authorized agencies outside the physical boundary of the Department, shall be protected via encryption methods. The encryption process will be provided and maintained by the Pennington County IT Division and will be in compliance with the FBI CJIS standards located in section 4.6 (*Encryption*) of the FBI CJIS Information Technology Security manual.
3. Laptop Security and Authentication: All Department laptops accessing CJIS information must have the Window's Firewall activated and two-factor authentication enabled.

4. Media Security & Disposal: Computer hard drives or any other electronic storage systems containing Criminal Justice Information, which are to be reused by unauthorized personnel, shall be adequately “sanitized” prior to release. The IT Division will overwrite hard drives at least three times or degauss the electronic media. Any inoperable electronic media shall be destroyed. The IT Division shall maintain written documentation of the steps used to sanitize or destroy all electronic media containing Criminal Justice Information, which is no longer in use. The agency shall securely store electronic and physical media within physically secure locations or controlled areas. The agency shall restrict access to electronic and physical media to authorized individuals. If physical and personnel restrictions are not feasible then the data shall be encrypted
5. Original Paperwork: Any original criminal justice paperwork that is scanned to the Records Management System or needs to be disposed shall be placed in a secure shredding bin located throughout Sheriff’s Office areas. Authorized staff will accompany the bin to the shredding location and will remain to observe the shredding taking place.
6. Any mishandling of CJIS information or violation of the previous CJIS compliance requirements may cause internal disciplinary measures and/or termination of the user’s access.

GP 5-10: NCIC Verifications

Chapter: Department/ Division Operating Procedures

Order No: 2018-06

Effective: 09-01-2018

Revised: 08-01-2023

Approved by: Sheriff Brian Mueller

Reference:

Classification: Public

I. Policy

- A. This policy establishes procedures and guidelines to ensure consistency in the validation of all entries into the National Crime Information Center.

II. Definitions

- A. NCIC: National Crime Information Center is an electronic clearing house of criminal justice information.
- B. OLN: Operator's License Number
- C. ORI: Original Agency Identifier
- D. DOB: Date of Birth
- E. ERMS: Electronic Records Management System is any electronic database, including an electronic warrant database.

III. General Information

- A. All Pennington County Sheriff's Office employees who have access to NCIC are certified and are assigned proper permission to access NCIC functions pertinent to his/her job classification.
- B. For the security of information, all visitors to the Pennington County Sheriff's Office will be escorted throughout the building at all times.
- C. All NCIC hardcopies will be destroyed via shred bin.
- D. All NCIC entries will be validated.
- E. All NCIC Validation Certificates from the state will be validated with an e-mail or a signed certification within 15 days.
- F. All NCIC Validation Certificates will be kept for 1 year to show that the validation was done.

IV. Procedural Guidelines

A. Missing people or property

1. After an agency enters the ORI directly into ERMS, the personnel requesting the entry is the second check and must be the one to verify it.
2. The verification of record should include: (assuring all available cross checks)
 - a) VIN/LIC, make/ model, color, etc. or
 - b) Name, social security number, DOB, personal details, scars/tattoos, etc.

Make sure all were entered correctly and that the data in the NCIC record matches the data in the report.
3. Any modifications are done on the ERMS.
4. If the ERMS searches other databases or systems, such as the DMV, court records, or Triple I information to populate its NCIC records, the second party check must also include a file synchronization against the other sources checked
 - a. Appropriate follow-up to resolve any discrepancies will be done to ensure the accuracy and completeness of the NCIC records.
5. To validate the entry, pull the report from ERMS, (noting the name of the investigator).
 - a. Send worksheet and copy of teletype to assigned investigator or sergeant to verify info.
 - b. Investigator/sergeant will return the signed worksheet once info is verified.
 - c. Captain will then sign validation certificate when all entries are verified.
 - d. All signed worksheets and validation certificate are attached to each ERMS entry.
6. If property/ person has been recovered/ returned/ arrested, it must be removed from NCIC.
7. Once all NCIC Validation forms are complete, an email or letter may be sent to the State.
8. To finish, make sure the NCIC validation paperwork is scanned and imported to the case in ERMS.

B. Warrant entries

1. After an entry is made, personnel will make sure that the state case number is noted in the top warrant documentation sheet and the date the supervisor

approved the entry to the date it was entered to ensure compliance with the 48hour rule.

- a. If out of compliance be sure the reason why is noted on the warrant documentation sheet
 - b. The verification of record will include state case number, final NCIC entry responses, Triple I information and any DL or vehicle registrations.
2. Secondly, compare the warrant to NCIC entry by;
 - a. verifying any alias names, from the warrant itself are included in the entry,
 - 1) if there are too many alias names, make sure it is noted in the file and the error message “excessive entries” is added to the NCIC entry documentation
 - b. names,
 - c. spellings,
 - d. social security numbers and
 - e. DOB
3. Third, look for missing or inaccurate information in the NCIC entry such as
 - a. place of birth is coded correctly,
 - b. FBI number is listed,
 - c. social security number is listed,
 - d. fingerprint class
 - e. basic scar/mark or tattoo entered
 - f. OLN field to OLN printed w/ Triple I
 - g. offense entered to the warrant itself vs. the warrant worksheet to ensure the accurate charge code was used
 - h. miscellaneous field includes
 - 1) the state case number,
 - 2) the case report number
 - 3) full charge
 - 4) any extradition limitations

C. Protection Order entries

1. When the validation report is received, confirm the entry in the ERMS and verify:
 - a. Expiration date
 - b. Protected person's name
 - c. Other protected persons
 - d. Defendant's:
 - 1) Sex
 - 2) Race
 - 3) DOB
 - 4) OLN
 - 5) Social security number
 - 6) Alias's
 - 7) If defendant is deceased, write on the report "deceased".
 - 8) Sign and date on the designated spot on the cover page of the report, send an email to NCIC.validation@state.sd.us and send the report to the Clerk of Courts office.
 - a) A copy is then filed in the file cabinet in the Civil office.

GP 5-20: Triple I Inquiry and Dissemination

Chapter: Department/Division Operating Procedures

Order No: 2016-01

Effective: 01-25-2015

Revised: 05-22-2024

Approved by: Sheriff Brian Mueller

Reference:

Classification: Public

I. Policy

- A. This policy establishes procedures and guidelines to ensure consistency in the inquiry and dissemination of information in the Interstate Identification Index.

II. Definitions

- A. **NCIC:** National Crime Information Center
- B. **Triple I:** Interstate Identification Index
- C. **NICS:** National Instant Background Check System
- D. **Purpose Code “C” (Criminal):** To be used for official duties in connection with the administration or criminal justice such as:
 1. Vendors or contractors at the criminal justice agency who are not involved with the actual administration of criminal justice (carpet cleaners, individuals maintaining vending machines, janitors and cooks).
 2. Volunteers at a criminal justice agency who are not involved with the actual administration of criminal justice (ride along programs and volunteers providing social or community services rather than rehabilitative services).
 3. Confinement facility visitors.
 4. Inmates of a confinement facility.
 5. Inmate Mail (an inmate’s list of names and addresses of those wishing to correspond with the inmate). The Triple I may be used when there is a reason to believe that criminal activity is occurring or has occurred.
 6. Participants of law enforcement-sponsored firearms training classes held at a public firing range that are handling firearms, and individuals attending a firearms training event held at law enforcement facilities.
 7. Triple I’s cannot be run on liquor license applicants.

E. **Purpose Code “J” (Employment):** To be used for initial background checks of agency personnel, sworn and non-sworn, employed by the criminal justice system such as:

1. Noncriminal justice agencies that are involved with the administration of criminal justice on behalf of the criminal justice agency.
2. Vendors or contractors who are involved with the administration of criminal justice (Personnel involved with the maintenance of computer systems, upgrading records systems, data entry clerks, etc.).
3. Volunteers at the criminal justice agency who are involved with the administration of criminal justice (volunteer dispatchers, volunteer data entry clerks, volunteers at a confinement facility who are providing inmate rehabilitation, etc.).

F. **Purpose Code “F” (Firearms):** To be used for pistol permit applicants such as:

1. Criminal justice agencies must use for the purpose of issuing firearms-related permits and explosives permits pursuant to state law, regulation or local ordinance.
2. Returning firearms to their lawful owners.
3. Enforcing federal and state laws prohibiting certain persons with criminal records from possessing firearms in circumstances in which firearms have been pawned.

III. General Information

- A. Disciplinary action or termination may result if an employee runs an unauthorized Triple I check.
- B. Triple I inquiries will not be released along with arrest, case, warrant or booking report information due to confidentiality of the information contained within the Triple I.
- C. Triple I documents can be stored along with arrest reports, investigation and warrant files.
- D. Triple I's cannot be faxed or emailed to the requestor. Triple I's not picked up within 30 days will be destroyed.
- E. Only the following people can authorize the running of a Triple I check:
 1. The ESCC Director or Deputy Director
 2. The Pennington County Sheriff
 3. Rapid City Police Chief

4. Use the ORI's below when running Triple I's for any certified officer employed by the following agencies:

- a. SD0510000 Pennington County Sheriff's Office
- b. SD0510100 Rapid City Police Department

F. All Triple I checks are automatically logged using the Criminal History Transaction form in the QH and QR transactions in the Central Square or CLIPS software system.

IV. Procedural Guidelines

A. Running a Triple I Query in CLIPS.

1. In CLIPS, open the QH (Criminal History Exist) Form.
2. The first form to open is the Criminal History Transaction form. This form is very important since this is the Triple I log. This form must be filled out as follows:
 - a. Individual Name: Must be entered last name, first name followed by the date of birth.
 - b. Incident Number:
 - 1) If there is an Incident Number (Case Number, Warrant Number, Booking Number, etc.) associated with the Triple I, enter the number in this field.
 - 2) If there is not a number associated with the Triple I (Pistol Permit Applicant, Volunteer Applicant, Employment, etc.) then the department that is running the Triple I should be entered (Civil, Jail, Human Resources, etc.).
 - c. Disposition: Example – C*22703*BURG*AB
 - 1) Enter the Purpose Code (C, F, or J) followed by an asterisk
 - 2) Enter requestor's ID Number followed by an asterisk
 - a) The requestor's ID number must be the five-digit employee ID Number. Call signs must never be used since these are reassigned.
 - 3) Enter one of the following Reason Codes followed by an asterisk:
 - a) "C" Inquiries:

Reason Code	Purpose
BURG	Burglaries
THEFT	Thefts

DUI	Driving Under Influence
DV	Domestic Violence
SEX	Sex Crimes
CHILD	Child Abuse/Neglect
WP	Wanted Person
REGSEXOFF	Registered Sex Offender
V	Volunteer (Put facility after V such as VJAIL)
CLASS	Classification
SS	Secure Side Access (put facility after SS such as SSJAIL)

b) "J" Inquiries:

Reason Code	Purpose
ECC	Employment at City/County Alcohol and Drug Program
EJAIL	Employment at the Jail (excludes kitchen staff)
EJSC	Employment at Juvenile Services Center
E247	Employment at 24/7 Program
ELE	Employment for Law Enforcement

c) "F" Inquiries

Reason Code	Purpose
PP	Pistol Permit

4) Enter operator initials

3. Click "CONTINUE." This will open the QH NCIC III Criminal History Record Existence Inquiry Form.

- a. In the Attention (ATN) field, enter the same Disposition Code found in 2c above.
- b. Enter the Purpose Code (C, F, or J).
- c. Enter the person's name (entered last name, first name) and any of the numeric identifiers below:

Numeric Identifier	Purpose
DOB	Date of Birth
SOC	Social Security Number
SID	State Identification Number
FBI	FBI Number
MNU	Miscellaneous Number

- d. Sex and race are optional, but should be completed if known.
 - e. Click “SUBMIT.”
 4. Open the QR NCIC III Criminal History Record Inquiry form. Fill out the Criminal History Transaction form as explained in step 2 above. Then fill out the following fields:
 - a. Purpose: Enter the same purpose code as used previously.
 - b. Attention: Enter the same Attention Field as used previously.
 - c. SID or FBI Number found in the QH query results.
- B. Running a Triple I in Central Square.
 1. In Central Square, click on “Triple I” located on the Main Menu under CAD or Records.
 2. Click on the link titled, “New Triple I”.
 3. Enter the following fields:
 - a. Associated Event (if associated with a Case)
 - b. Date Run (autofills with current date/time)
 - c. Requested By
 - d. Requesting Agency
 - e. Purpose
 - f. Purpose Details (classification, burglary, theft, etc.)
 - g. Subject
 - h. FBI Number (if available)
 - i. Disposition (if applicable)
 - j. Run By User (should auto-populate user’s name)
 - k. Run Comments (if applicable)
 - l. Shredded (if printed out, check when shredded)
- C. When running a QR or QH in Central Square, “Orig. Agency ORI” field must have SD0510000 should be entered. In CLIPS, the “Originating Agency Identifier (ORI)” field should have SD0510000 (This agency ORI) selected or SD0510100 (Rapid City Police Department) if running for RCPD.
- D. Staff will generate a NICS check on all pistol permit applicants. NICS can only be run through CLIPS via a QN form.
- E. Disposal of a Triple I Record:
 1. There are only three ways to dispose of a Triple I record:

- a. It may be placed or attached electronically to a criminal investigation file.
This includes Central Square records or a personnel file.
- b. It may be passed on to another criminal justice agency.
- c. It must be destroyed via shred bin.

GP 5-30: Effective Communication with People Who are Deaf

Chapter: Department/Division Operating Procedures

Order No: 2015-05

Effective: 09-01-15

Revised: 12-29-23

Approved by: Sheriff Brian Mueller

Reference:

Classification: Public

I. Policy

- A. The Pennington County Sheriff's Office will ensure that a consistently high level of service is provided to all community members, including those who are deaf or hard of hearing.

II. Definitions

- A. **Deaf:** Individuals who do not hear well enough to rely on their hearing to process speech and language.
- B. **Hard of hearing:** Individuals with mild to moderate hearing loss who can use their hearing to assist in communication with others.

III. General Information

- A. All Sheriff's Office employees shall make every effort to ensure that there is effective communication with people who have identified themselves as deaf or hard of hearing. The purpose of this policy is to comply with the legal obligations detailed under the Americans with Disabilities Act.

IV. Procedural Guidelines

- A. Employees may use auxiliary aids to communicate with people who are deaf or hard of hearing including: use of gestures, visual aids, notepad and pen or pencil, computer, assistive listening system, teletypewriter, or qualified oral or sign language interpreter.
- B. The Sheriff's Office will maintain a list of sign language and oral interpreting services that are available on-call 24 hours per day to provide qualified interpreters as needed. This information is available through the Pennington County Emergency Services Center (ESCC).
- C. In situations when a nondisabled person would have access to a telephone, employees will provide persons who are deaf or hard of hearing the opportunity to place calls using a text telephone. Employees must also accept telephone calls placed by persons who are deaf or hard of hearing through the Telecommunications Relay Service.

- D. Employees, both sworn and civilian, will review and have a working knowledge of the publication *Communicating with People Who are Deaf or Hard of Hearing: ADA Guide for Law Enforcement Officers* (Appendix A).
- E. Whenever an employee recognizes the need for obtaining auxiliary aids and services for a person who is deaf or hard of hearing, he/she should contact the shift supervisor for approval of the appropriate aid up the chain of command.

GP 5-30 Appendix A: ADA Guide for Law Enforcement Officers

U.S. Department of Justice Civil Rights Division Disability Rights Section

As a law enforcement officer, you can expect to come into contact with people who are deaf or hard of hearing. It is estimated that up to nine percent of the population has some degree of hearing loss, and this percentage will increase as the population ages.

Under the Americans with Disabilities Act (ADA), people who are deaf or hard of hearing are entitled to the same services law enforcement provides to anyone else. They may not be excluded or segregated from services, be denied services, or otherwise be treated differently than other people. Law enforcement agencies must make efforts to ensure that their personnel communicate effectively with people whose disability affects hearing. This applies to both sworn and civilian personnel.

Your agency has adopted a specific policy regarding communicating with people who are deaf or hard of hearing. It is important to become familiar with this policy.

Requirements for Effective Communication

The ADA requires that:

- Law enforcement agencies must provide the communication aids and services needed to communicate effectively with people who are deaf or hard of hearing, except when a particular aid or service would result in an undue burden or a fundamental change in the nature of the law enforcement services being provided.
- Agencies must give primary consideration to providing the aid or service requested by the person with the hearing disability.
- Agencies cannot charge the person for the communication aids or services provided.
- Agencies do not have to provide personally prescribed devices such as hearing aids.
- When interpreters are needed, agencies must provide interpreters who can interpret effectively, accurately, and impartially.

Your agency's policy explains how to obtain interpreters or other communication aids and services when needed.

Communicating with People who are Deaf or Hard of Hearing

Officers may find a variety of communication aids and services useful in different situations.

- Speech supplemented by gestures and visual aids can be used in some cases.
- A pad and pencil, a word processor, or a typewriter can be used to exchange written notes.

- A teletypewriter (TTY, also known as a TDD) can be used to exchange written messages over the telephone.
- An assistive listening system or device to amplify sound can be used when speaking with a person who is hard of hearing.
- A sign language interpreter can be used when speaking with a person who knows sign language.
- An oral interpreter can be used when speaking with a person who has been trained to speech read (read lips). Note: Do not assume that speech reading will be effective in most situations. On average, only about one third of spoken words can be understood by speech reading.

The type of situation, as well as the individual's abilities, will determine which aid or service is needed to communicate effectively.

Practical Suggestions for Communicating Efficiently

- Before speaking, get the person's attention with a wave of the hand or a gentle tap on the shoulder.
- Face the person and do not turn away while speaking.
- Try to converse in a well-lit area.
- Do not cover your mouth or chew gum.
- If a person is wearing a hearing aid, do not assume the individual can hear you.
- Minimize background noise and other distractions whenever possible.
- When you are communicating orally, speak slowly and distinctly. Use gestures and facial expressions to reinforce what you are saying.
- Use visual aids when possible, such as pointing to printed information on a citation or other document.
- Remember that only about one third of spoken words can be understood by speech reading.
- When communicating by writing notes, keep in mind that some individuals who use sign language may lack good English reading and writing skills.
- If someone with a hearing disability cannot understand you, write a note to ask him or her what communication aid or service is needed.
- If a sign language interpreter is requested, be sure to ask which language the person uses. American Sign Language (ASL) and Signed English are the most common.
- When you are interviewing a witness or a suspect or engaging in any complex conversation with a person whose primary language is sign language, a qualified interpreter is usually needed to ensure effective communication.
- When using an interpreter, look at and speak directly to the deaf person, not to the interpreter.
- Talk at your normal rate, or slightly slower if you normally speak very fast.
- Only one person should speak at a time.
- Use short sentences and simple words.
- Do not use family members or children as interpreters. They may lack the vocabulary or the impartiality needed to interpret effectively.

What Situations Require an Interpreter?

Generally, interpreter services are not required for simple transactions – such as checking a license or giving directions to a location – or for urgent situations – such as responding to a violent crime in progress.

Example: An officer clocks a car on the highway going 15 miles per hour above the speed limit. The driver, who is deaf, is pulled over and is issued a non-criminal citation. The individual is able to understand the reason for the citation because the officer points out relevant information printed on the citation or written by the officer.

Example: An officer responds to an aggravated battery call and upon arriving at the scene observes a bleeding victim and an individual holding a weapon. Eyewitnesses observed the individual strike the victim. The individual with the weapon is deaf. Because the officer has probable cause to make a felony arrest without an interrogation, an interpreter is not necessary to carry out the arrest.

However, an interpreter may be needed in lengthy or complex transactions – such as interviewing a victim, witness, suspect, or arrestee – if the person being interviewed normally relies on sign language or speech reading to understand what others are saying.

Example: An officer responds to the scene of a domestic disturbance. The husband says the wife has been beating their children and he has been trying to restrain her. The wife is deaf. The officer begins questioning her by writing notes, but her response indicates a lack of comprehension. She requests a sign language interpreter. In this situation an interpreter should be called. If the woman's behavior is threatening, the officer can make an arrest and call for an interpreter to be available later at the booking station.

It is inappropriate to ask a family member or companion to interpret in a situation like this because emotional ties may interfere with the ability to interpret impartially.

Example: An officer responds to the scene of a car accident where a man has been seriously injured. The man is conscious, but is unable to comprehend the officer's questions because he is deaf. A family member who is present begins interpreting what the officer is saying.

A family member or companion may be used to interpret in a case like this, where the parties are willing, the need for information is urgent, and the questions are basic and uncomplicated. However, in general, do not expect or demand that a deaf person provide his or her own interpreter. As a rule, when interpreter service is needed, it must be provided by the law enforcement agency.

ADA Website

www.ada.gov

ADA Information Line

800-514-0301 (voice); 800-514-0383 (TTY)

GP 5-40: Credit Card Use Policy

Chapter: Global Administration
Order No: 2018-02
Effective: 04-01-2018
Revised: 12-29-2023
Approved by: Sheriff Brian Mueller
Reference:
Classification: Public

I. Policy

- A. Employees may be issued County credit cards for authorized use. Employees are responsible for adhering to Pennington County's Credit Card Use Policy (Appendix A).

II. Definitions

- A. N/A

III. General Information

- A. Employees may request a county credit card in their name via the Employee Credit Card Use Request and Acknowledgment Form (Appendix B). Approval is at discretion of the Sheriff or Chief Deputy.
- B. The Accountant II or Administrative Assistant II in each division is responsible for the account management of credit cards issued with the Sheriff as the primary account holder.

IV. Procedural Guidelines

- A. Employee Responsibilities
 - 1. Submit Employee Credit Card Use Request and Acknowledgement Form to their Chief Deputy or Sheriff approval.
 - 2. Requests should be routed through the Accountant II of the employee's division. Copies of the Employee Credit Card Use Request and Acknowledgement Form will be retained until the employee is no longer employed.
 - 3. Review County Credit Card Use Policy, SDCL 4-3-27, and Pennington County Purchasing Policy for approved usage.
 - 4. Submit receipt of purchases to the division Accountant II as soon as received. Receipts can be scanned and emailed immediately and the originals routed as soon as practical.

5. Failure to meet the deadline will result in the employee being responsible for the charges incurred.

B. Accountant II Responsibilities

1. Notification to employees of purchases outside of SDCL 4-3-27 to include collection of payment for purchase from employee.
2. Collection of tax paid on purchases from employee where purchases should be South Dakota State tax exempt.
3. Maintaining online account access to review activity and respond to fraudulent charge notices.
4. Retention of credit cards in safe for approved use check out.
5. Approved personnel may carry their credit cards on their person as approved by the Chief Deputy or Sheriff.

GP 5-40 Appendix A: Pennington County Credit Card Use Policy

GP 5-40 Appendix B: Employee Use and Acknowledgement Form

GP 5-40: Appendix A Pennington County Credit Card Use Policy

PENNINGTON COUNTY POLICY & PROCEDURE RESOLUTION ADOPTING CREDIT CARD USE POLICY

WHEREAS, SDCL § 4-3-27 authorizes the use of credit cards by local government officials and employees for the purchase of materials, supplies, equipment, or other authorized transactions for the benefit of the local government entity.

WHEREAS, before authorizing the use of a credit card or electronic payment, the governing body shall, by resolution, establish policies providing for the use and accountability of credit card purchases or electronic transactions.

WHEREAS, The Pennington County Board of Commissioners has determined that the County has a need for credit cards.

NOW, THEREFORE IT BE RESOLVED, by the Board of Commissioners that the following policy is adopted to govern the use of a County issued credit card by Elected Officials, Department Heads and County employees:

- I. Each Elected Official and/or Department Head will determine how many cards are needed for their department and which employees will be allowed to use them. The credit limit shall be set at \$10,000 unless a lower amount is requested in writing.
2. Each Elected Official and/or Department Head is responsible for the use of the cards by their department and is responsible to make sure that any charges are authorized County expenditures and that adequate monies are available within the department's approved budget.
3. All employees issued a credit card must sign an acknowledgment form recognizing their responsibility to comply with the County's policy regarding credit cards.
4. County issued credit cards may not be used to pay for any item which does not directly benefit Pennington County.
5. Personal use of the credit cards is strictly prohibited. Misuse of a County issued credit card will be considered grounds for disciplinary action up to and including termination. All improper charges are the responsibility of the employee.
6. All transaction must comply with the County's adopted purchasing policy.
7. All purchases made with a County issued credit card shall be accounted for with purchase receipts retained from the point of sale at which the item(s) were purchased. The Elected Official and/or Department Head is responsible for submitting detailed receipts and is responsible to ensure that duplicate receipts are obtained if the original is lost.
8. The purchaser will advise the vendor that the purchase is tax exempt. Any tax charges will not be removed by the Auditor. If tax is charged, it is the responsibility of the Elected Official and/or Department Head to have the tax removed or reimburse the County.
9. Proper documentation must be submitted to the Auditor when the payment voucher is processed. If proper documentation is not received, the payment of the charge is the responsibility of the employee.
10. It is the responsibility of the Elected Official and/or Department Head for prompt payment of the credit card statement to ensure receipt of payment in a timely manner. Pennington County shall not pay any late fees

or finance charges assessed. All assessed late fees and finance charges not removed by the vendor shall be the responsibility of the Elected Official and/or Department Head.

II. The employee shall not allow anyone else to possess and utilize their cards at any time for any reason.

12. Cash advances are prohibited.

13. Purchase of tobacco or any alcoholic beverages is prohibited.

14. County issued credit cards may not be used to pay for meals that qualify for reimbursement through per diem.

15. The credit cards shall be administered by the Treasurer's Office and a designee within each office may be assigned to oversee the usage, limits, and processing for that department.

16. No employees are allowed to setup an online account to view their credit card activities.

17. No employee is allowed to request a new card to be issued or to close an account. All requests must be made in writing to the Treasurer's Office.

18. If the account is flagged by the vendor for potential fraud, the employee must report to the Treasurer's Office within 24 hours of being notified to place a call to the vendor to verify the purchases. The employee must bring all purchase receipts with them to the Treasurer's Office.

19. The employee or official issued a County credit card is responsible for its protection and custody, and shall immediately notify the County Treasurer if a County credit card is lost or stolen.

20. Any County credit card shall be promptly returned to the County Treasurer by the cardholder or the Elected Official or Department Head upon the transfer, resignation or termination of an Elected Official, Department Head or employee.

Dated this 6th day of March, 2018.

/s/ Lloyd LaCroix, Chairman

Pennington County Board of Commissioners

GP 5-40 Appendix B: Employee Use and Acknowledgement Form

Employee Credit Card Use Request and Acknowledgement Form

Requestor Information

Employee Name: _____ Job Title: _____

Requested Amount (\$500-\$10,000): _____

Intended Use: _____

Acknowledgement

By signing below I acknowledge receipt of governing policy and responsibility for purchases made on the Pennington County Credit Card issued in my name. I understand failure to adhere to approved usage and submit receipts in a timely manner will result in the purchases becoming my financial responsibility and potential disciplinary action up to and including termination.

Employee Signature

Date

Approval Information

Request Approved or Denied (Circle One)

Reason for Denial: _____

Approved Amount: _____

Chief Deputy or Sheriff Signature

Date

GP 5-50: Critical Incident Stress Management Policy

Chapter: Department Operating Procedures

Order No: 2020-06

Effective: 02-20-2019

Revised: 12-17-2020

Approved by: Sheriff Kevin Thom

Reference:

Classification: Public

I. POLICY

- A. It is the policy of the Pennington County Sheriff's Office to provide Critical Incident Stress Management services for all employees involved in a critical incident. The Sheriff is committed to the mental health and well-being of all employees.

II. PURPOSE

- A. Occasionally, some critical incidents will exhaust one's usual coping mechanisms and result in excessive psychological distress and a disruption of normal adaptive functioning. These effects can be mitigated using critical incident stress management (CISM) interventions. The purpose of these interventions is to provide psychological assessment, psychological support, individual crisis intervention, informational and interactional group crisis intervention, planning and fostering resilience.

1. Examples of impactful critical incidents may include:

- Incidents involving children or youth injury or fatality
- Events with severe operational challenges
- Line-of-duty death or line-of-duty injury
- Officer involved shooting
- Off-duty death, suicide, homicide, or injury
- Death notifications
- Events with multiple or mass casualties
- Prolonged events with loss of life
- Events when the victim(s) is (are) known to the responder
- Events with excessive media interest
- Any incident that could perceivably cause a significant emotional impact

III. CISM TECHNIQUES

- A. **One-on-One/Psychological First Aid:** Focuses on individuals impacted by a critical incident. The goals of intervention are assessment, screening, education, reductions of distress and triage.

- B. **Defusing:** A semi-formal initial small-group response to a critical incident usually occurring with involved staff members within 12 hours of a crisis event. A defusing is often performed after employees have returned to the station and prior to them leaving shift. Peer Support Team members lead the meeting, with the Psychologist and Chaplains available for assistance, as appropriate. A defusing is not an operations critique, rather an overview of the incident designed to provide an initial forum for ventilation, support, and information exchange surrounding an incident. It also provides an opportunity for initial psychological assessment and stabilization. It may be followed by one-on-one's or a Critical Incident Stress Debriefing.
- C. **Critical Incident Stress Debriefing (CISD):** A formal, structured, homogenous group crisis-intervention meeting optimally taking place approximately 48 to 72 hours after an incident. CISD's are facilitated by Peer Support Team members (at least 2 peers and a mental health component) with the Sheriff's Office Psychologist and Chaplain(s) available for assistance as appropriate. The goal is to mitigate the impact of the crisis response, assist in the restoration of the group's ability to function and identify individuals requiring more support or referral for professional care. It is a regimented and more in-depth group discussion where participants are encouraged, but not required, to discuss their reactions to the incident and offer one another support. Specific individuals may be requested by leadership to participate.
1. Consultation and coordination with leadership should occur prior to the debriefing to plan for necessary details.
 2. A follow-up CISD meeting may be indicated, depending on the nature of the critical incident, the number of individuals involved, and the level of impact upon individuals. Individual interventions are arranged, as needed.
- D. **Wellness Check:** An informal psychological evaluation completed after a critical incident by the Sheriff's Office Psychologist upon individuals who may have been most affected by a critical incident, to assess for possible mental health issues, to begin necessary interventions, and to provide general guidance to administration. Existing policies or administration may request the Wellness Check. A basic memorandum is often produced but confidentiality is preserved. A Wellness Check may result in a Fit-for Duty evaluation request, which will be completed by an external source.

IV. Procedural Guidelines

- A. **Call-out Procedures:** Upon notification of a critical incident, the first line supervisor is responsible for notifying the chain of command of the incident. The supervisor will make this notification as soon as the scene is safe enough to do so.
1. The supervisor will contact the Peer Support Team Coordinator as soon as reasonably possible in relation to notification of the critical incident. The supervisor will establish a meeting location and time to brief the Peer Support Team Coordinator on the incident. The Peer Support Team Coordinator communicates the response plan to include dates,

times and locations of defusing and debriefing sessions to those affected by the critical incident and the Sheriff or designee upon completion of the briefing.

B. Response/Interventions: The need for these interventions will vary depending on the characteristics of the critical incident and the impact it has on individuals.

1. Consult with Peer Support Team Coordinator /Arrive Onsite
 - a. obtain event details
 - b. assess impact/needs assessment
2. Psychological First Aid
 - a. contact & engagement
 - b. safety & comfort
 - ensure basic needs are met
 - c. stabilization
 - d. info gathering
 - e. practical assistance & education
 - f. Connect with services & support
 - Sleep; Time off; Peer support identified; Connect with social support
3. Defusing
4. Critical Incident Stress Debriefing
 - a. Possible follow-up debriefing
5. Individual interventions
 - a. Follow-up
6. Referral for professional care.

C. Participation: Employees with significant involvement in a critical incident are strongly encouraged to take part in a debriefing or assessment.

D. Administrative Leave: Division Commanders and Captains have the authority to grant up to 3-days of administrative leave with pay for impacted employees. The Sheriff or designee must approve more than 3-days of administrative leave with pay.

GP 5-60: Peer Support Team

Chapter: Departmental Operations Procedures

Order No: 2020-06

Effective: 03-5-2020

Revised: 12-29-2023

Approved by: Sheriff Brian Mueller

Reference:

Classification: Public

I. Policy

- A. The Pennington County Sheriff's Office (PCSO) Peer Support Team (PST) serves as a support and Critical Incident Stress Management (CISM) resource for employees and their families. The PST provides support through their own experiences to assist individuals with personal and work-related stress. They also provide support during and following critical or traumatic incidents resulting from the performance of duty.
- B. The PST may be contacted directly by employees or family members, as a referred service by a coworker, supervisor, family member or resource provider, or as a direct contact initiated by the PST member following an event.

II. Definitions

- A. N/A

III. General Information

- A. Peer Support Team Selection:
 - 1. The PST will be comprised of a variety of line-level and front-line supervisor job classifications to best serve the employees of the PCSO. When possible, each division will be represented along with a support staff team member. The PST will be supported by a Peer Support Coordinator, Assistant Coordinator, Chaplain, employee spouse or significant other, and staff Psychologist.
 - 2. PST members will be selected through a combination of personal interest, supervisor recommendation and applicable work/life experiences. The Peer Support Team Coordinator will make the final selection recommendations for the Sheriff or Chief Deputies approval. Upon vacancy, PST opportunities will be announced internally to applicable job classifications.
 - 3. Upon selection PST will be require to attend group and individual crisis intervention training and will be introduced to include contact information to PCSO staff.

4. Conduct and credibility has a direct reflection on the team. PST members should maintain a high level of professional conduct always.

B. Essential Duties of Peer Support Team Coordinator(s):

1. Facilitate selection of PST members
2. Coordinate new team member and ongoing training
3. Coordinate critical incident debriefs
4. Communicate program performance measures and needs to command staff
5. Coordinate services between staff Psychologist, Chaplains and external resources

C. Essential Duties of Peer Support Team Member(s):

1. Provide peer support and facilitate peer support team debriefings within the parameters established by law, policy, guidelines and their training.
2. Attend scheduled peer support team meetings and trainings.
3. Develop and maintain enhanced knowledge and skills in recognizing stress reactions to critical incidents and the chronic stressors of the public safety profession and non-work environments.
4. Make appropriate referrals when issues exceed the parameters of peer support.
5. Provide peer support services to other agencies as approved.
6. Maintain confidentiality

IV. Procedural Guidelines

A. Responding to Critical or Traumatic Incidents:

1. Upon notification from division command staff, the PST Coordinator will gather necessary information and coordinate the PST response and communicate logistics to those required parties. PST involvement should follow the PCSO CISM Policy adopted from the Mitchell Model/or other approved model as a routine part of critical incident response.
2. The PST Coordinator is empowered to provide response based on their training to best serve the nature, timing and involvements of the incident.
3. If response is required, clear communication should occur between the PST Coordinator and command staff to establish roles.

B. Confidentiality:

1. PST members will be required to sign and acknowledge the strict confidentiality requirements of the position. No written note taking or recordings are allowed in any PST interaction. PST members providing any type of assistance will document the encounter on a deidentified usage report form and forward to the PST Coordinator.

C. Removal:

1. PST members may request to take a leave or be removed from the PST at any time. PST may also be removed at any time by the PST Coordinator or command staff due to work performance, off duty conduct or violation of this policy.

D. Compensation:

1. PST members will be compensated their regular rate of pay or overtime rate of pay if over 40 hours in the work week while performing requested PST duties and/or to attend required training. Reasonable efforts should be made with approval from the PST members supervisor to flex hours.

GP 5-70: Therapy K-9 Program

Chapter: Departmental Operations Procedures

Order No: 2021-01

Effective: 07-13-2021

Revised: 02-23-2024

Approved by: Sheriff Brian Mueller

Reference:

Classification: Public

I. Policy

- A. The objective of the Pennington County Sheriff's Office (PCSO) Therapy K-9 Program is to enhance and assist in the response and treatment of trauma and mental health by providing appropriately trained dogs to serve as an agent in those efforts.

II. Definitions

- A. N/A

III. General Information

- A. The Therapy K-9 Program will assist first responders and all staff within the PCSO coping with exposure to traumatic events and support efforts aimed at increasing resilience to improve mental health and wellness. Therapy K-9s will also be made available to support the mission of all the divisions within the PCSO.
- B. The Therapy K-9 Program will support community partners who provide services to those affected by trauma, mental health and crime.
- C. Therapy K-9 operations are under the command of the Sheriff. Therapy K-9 handlers shall be comprised of personnel assigned by the Sheriff. Control and direct supervision of Therapy K-9 operations will fall under the Wellness Program.
- D. K-9 Acquisition, Selection and Disposition:
 - 1. Administration and handlers within the Therapy K-9 Program will make every attempt to select the best possible therapy dog candidates to meet the needs of the PCSO and the community.
 - 2. If necessary, and when available, supervision and handlers in the program will consult the advice of recognized specialists in the field of K-9s, i.e. veterinarians, trainers, breeders, etc., to make informed decisions regarding therapy K-9 candidates.
 - 3. The Sheriff or his designee reserves the right to acquire therapy K-9s for the program through available and existing funding sources, staff, or through donations from community members and partners.

4. In the event a therapy dog candidate fails to achieve certification through a nationally recognized therapy K-9 association, the Sheriff or his designee may choose to allow the handler more time to work with the K-9 if it can be reasonably expected that extended training would be beneficial.
5. If it is deemed that extended training would not be beneficial to progress a K-9 to meeting training standards, the Sheriff or his designee will give the handler the first opportunity of adoption, with or without reimbursement. If the handler refuses adoption it will be the responsibility of the program supervisor to find a suitable home within the community.
6. Recommendations to retire a therapy K-9 for cause will be made through the chain of command. After consultation with the veterinarian, the Sheriff or his designee will make the recommendation as to whether or not the therapy K-9 may be retired. If retirement is recommended and the handler is not the K-9 owner, they will be given the first opportunity of adoption. If the handler refuses adoption it will be the responsibility of the program supervisor to find a suitable home within the community.

IV. Procedural Guidelines

A. Handler/ K-9 Teams:

1. Therapy dogs will only be handled by individuals authorized by the assigned handler.
 - a. The therapy dog handler will be responsible for determining the best method for utilizing the dog.
 - b. In situations when the primary handler is unavailable, another handler or specially trained deputy may fill this role.
2. Handlers are responsible for maintaining training records and all documentation associated with the Therapy K-9 program.
3. The handler will ensure, to the best of their ability, the team maintains the proficiency necessary to receive and maintain a nationally registered therapy K-9 certification.
4. It will be the individual responsibility of each handler to self-monitor their progress with their K-9 as a team to ensure they maintain proficiency set forth by a nationally recognized therapy K-9 association.
5. It is recognized that as with humans, each K-9 is unique in their own way. With this in mind, some may require more attention in training than others.
6. It is generally expected that once a handler/ K-9 team successfully attains certification through a nationally recognized therapy K-9 association that the K-9 will be an extension of the handler.

B. Utilization of Therapy K-9 Teams:

1. Each Therapy K-9 Team receives training in disciplines specific to their use. The therapy dog handlers are aware of each therapy dog's specific training and

capabilities and will not utilize or permit the utilization of their dog in a situation that exceeds the dog's specific training.

2. It is expected that if the handler has prior knowledge where the presence of a K-9 would aggravate a situation such as meeting someone with a fear of dogs, dog allergies, particular cultural beliefs, etc., that they make prior arrangements to leave their K-9 safely secured while tending to daily business.
3. Authorized Use:
 - a. Daily duties (extension of handler)
 - b. Staff Wellness
 - c. Crisis Intervention
 - d. Community outreach and engagement
 - e. Facility Visits
 - f. School demonstrations
 - g. Grief loss and trauma
 - h. Natural disaster incidents
 - i. Victim forensic interviews
 - j. Criminal investigations/interview
 - k. Any use not covered in this procedure as deemed appropriate by the Sheriff or his designee.
4. The Wellness Coordinator or designee is responsible for monitoring situations involving therapy dog use.

C. Callout Procedure:

1. Any request for the Therapy K-9 Team after normal operating hours will be made through the Wellness Coordinator or designee.
2. Wellness Coordinator or their designee make the determination of whether deployment will occur. Consideration will be given to the urgency and immediate need of the handler/K-9 at the time.

D. Training

1. The use of K-9 therapy in law enforcement is a relatively new concept with little data or information on their use currently available. SDCL 23A-24-10 and 23A24-11 will be used as guidelines of requirements for certification.
2. It is recognized that part of a successful training program includes working the handler/ K-9 together in public settings prior to certification through a nationally recognized therapy K-9 association. Each individual handler/ K-9 team will be assessed on a case by case basis to best meet their needs for successful development.
3. Therapy dog teams will train undergo continued training to maintain proficiency and operational readiness.
4. Training will include, but not be limited to, the following areas:
 - a. K-9 Good Citizen Test;
 - b. K-9 first aid;

- c. Handler basic obedience; and
- d. Handler do's and don'ts of deploying a therapy dog for child victims.

E. Care

1. The Pennington County Sheriff's Office is committed to the health and welfare of all animals under our care and as such, will ensure that all animals receive the proper nutrition, grooming and medical care as necessary.
2. The assigned therapy dog handler is responsible for the care, health and well-being of their assigned dog to include, but not limited to, feeding, grooming, sanitary precautions, bathing, watering and maintaining a clean and safe living environment.
 - a. Feeding - The therapy dog will be fed at a time when the dog is expected to have adequate digestion and rest time, preferably hours before or at the end of its tour of duty. Vitamin supplements, coat conditioner, heartworm and all other prescribed preventatives should be given at that time, or as prescribed by the veterinarian. Fresh water will always be available at home, at the office and wherever the dog is working.
 - b. Grooming - The K-9's coat will be brushed and combed as needed. Nails must be kept close-clipped. Flea and tick preventatives will be utilized as prescribed/needed.
3. All therapy K-9 handlers must maintain adequate health services for their assigned therapy K-9. All therapy K-9s will be examined according to a schedule arranged by a licensed veterinarian.
4. It is the K-9 handlers' responsibility to ensure that their K-9 stays current on all vaccines and medical appointments. Handlers will be responsible for all K-9 care outside of normal working hours unless boarded at an approved location determined by the Sheriff or his designee.

F. Veterinarian Procedures

1. Therapy K-9s will receive all vaccinations, physical examinations, and medications, pursuant to best veterinarian practices, when needed.
2. The veterinarian will maintain records in their office in addition to providing copies to each therapy K-9 handler. These records will be submitted to the Wellness Coordinator for inclusion in the therapy K-9's handler's file.

G. Deployment Documentation

1. After the therapeutic deployment of a K-9 and upon clearing the deployment, the handler will complete a confidential peer usage report.
2. Daily routine duties and community events do not count for the purposes of documentation. All non-therapeutic use will be kept in a calendar accessible to administration and handlers.

H. Equipment, Supplies and Services

1. All equipment, supplies and services necessary for the care of a therapy K-9 will be supplied by staff (if personally owned). If the K-9 is acquired through other means these items will be acquired through donations of community partners or budgeted grant funds.
 2. It is recognized that all K-9s require the same basic needs such as nutrition, grooming and medical care; however, it is also recognized that each K-9 is individual and may require specific items for their success. Each handler/K-9 team will be assessed and equipped on a case by case basis to provide the best service to the community.
- I. Bite or Injury Resulting from Therapy K-9
1. Immediately secure the K-9 in a safe, practical area.
 2. Request EMS and administer first aid if applicable.
 3. Contact Supervisor in the Patrol Division and request Law Enforcement response to complete a dog bite case report.

GP 7-10: Social Networking

Chapter: Social Media
Order No: 2012-05
Effective: 01-19-2012
Revised: 12-29-2023
Approved by: Sheriff Brian Mueller
Reference:
Classification: Public

I. Policy

- A. The Sheriff's Office provides access to social media to perform certain aspects of jobs and for recruitment purposes. The Sheriff's Office may monitor the utility, management, administration and oversight of social media including but not limited to all current social media and future technologies.

II. Definitions

- A. N/A

III. General Information

- A. N/A

IV. Procedural Guidelines

- A. **On the Job use:** Sheriff's Office Sanctioned Presence
 - 1. Where possible, each social media page created by a division of the Sheriff's Office shall include an introductory statement clearly specifying the purpose and scope of the agency's presence on the website.
 - 2. Where possible, the pages should link to the Sheriff's Office's official website.
 - 3. All Sheriff's Office-related social media sites or pages shall be approved by the Sheriff or designee. Care must be taken to maintain the integrity of the Sheriff's Office.
 - 4. Where possible, social media pages shall clearly indicate they are maintained by the Sheriff's Office and have contact information prominently displayed.
 - 5. Social media content shall adhere to applicable laws, regulations, and policies, including all information technology, records management, Sheriff's Office, and County policies.
- B. **Sheriff's Office-Sanctioned use:** Sheriff's Office personnel representing the Sheriff's Office via social media outlets shall.

1. Conduct themselves at all times as representatives of the Sheriff's Office and adhere to all standards of conduct.
2. Identify themselves as a member of the Sheriff's Office.
3. Not make statements about the guilt or innocence of any suspect or arrestee, or comments concerning pending prosecutions, or post, transmit, or otherwise disseminate confidential information.
4. Not conduct political activities or private business.
5. Observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.

C. Uses:

1. Social media is a valuable investigative tool when seeking evidence or information about:
 - a. Missing persons
 - b. Wanted Persons
 - c. Gang participation
 - d. Crimes perpetuated online
 - e. Photos or videos of a crime posted by a participant or observer
2. Social media can be used for community outreach and engagement by:
 - a. Providing crime prevention tips
 - b. Offering online-reporting opportunities
 - c. Sharing crime maps and data
 - d. Soliciting tips about unsolved crimes
3. Social media can be used to make time-sensitive notifications related to:
 - a. Road closures
 - b. Special events
 - c. Weather emergencies
 - d. Missing or endangered persons
4. Social media may be used for:
 - a. Recruiting

- b. Advertising employment opportunities
- c. Publicizing volunteer positions
- d. Offering training opportunities

D. **Personal Use:** Barring State or Federal law to the contrary, Sheriff's Office personnel shall abide by the following when using social media.

1. Precautions and Prohibitions:

- a. Sheriff's Office personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not impair working relationships of the Sheriff's Office for which loyalty and confidentiality are important, impede the performance of duties, or negatively impact the public perception of the Sheriff's Office.
- b. As public employees, Sheriff's Office personnel are cautioned that speech, on or off-duty, made pursuant to their official duties may form the basis of discipline if deemed detrimental to the Sheriff's Office. Sheriff's Office personnel should assume their speech and related activity on social media sites reflects upon their position and the Sheriff's Office.
- c. Sheriff's Office personnel shall not post, transmit, or otherwise disseminate any confidential information to which they have access as a result of their employment without written permission from the Sheriff or designee.
- d. Sheriff's Office personnel may not display logos, uniforms, or similar identifying items on personal web pages in any manner that could be considered as less than professional.
- e. When using social media, Sheriff's Office personnel should be mindful that their speech becomes part of the worldwide electronic domain indefinitely.
- f. Sheriff's Office personnel should be aware that speech containing obscene or sexually explicit language, images, or acts and statements that ridicule, malign, disparage, or otherwise express bias against any protected class of individual may provide grounds for impeaching an Officer's testimony in criminal proceedings or generally undermining one's credibility.
- g. Sheriff's Office personnel should expect any information created, transmitted, downloaded, exchanged, or discussed in the public domain may be reviewed by the Sheriff's Office at any time.
- h. Sheriff's Office personnel may not divulge information gained because of their authority; make any statements, speeches, endorsements, or publish materials that could reasonably be considered to represent the views of the Sheriff's Office without express authorization.

GP 8-10: Office Provided Cell Phone

Chapter: Global Administration
Order No: 2012-05
Effective: 04-14-2012
Revised: 12-29-2023
Approved by: Sheriff Brian Mueller
Reference:
Classification: Public

I. Policy

- A. This policy provides guidance for the issuance of Cellular Telephones or an allowance for such. This policy has been adopted in order that affected Sheriff's Office personnel are advised of expectations relating to the use of a provided Cellular Telephone.

II. Definitions

- A. Cellular Telephones are hereafter called cell phones

III. General Information

- A. Cell phones may be provided to employees where appropriate at the discretion of each division commander.
- B. Division commanders will make specific decisions related to whether a cell phone will be assigned on a long-term basis or checked out for use on a per-shift basis.

IV. Procedural Guidelines

- A. Employees who are issued cell phones will carry them at all times while on duty and as instructed by their immediate supervisor or division commander based on on-call and or supervisory duties.
- B. In lieu of maintaining a personal and office cell phone, employees who are assigned cell phones on a long-term basis may choose to combine personal and work-related services on one personal phone and receive a monthly cell phone allowance consistent with the price the Pennington County Sheriff's Office would pay for their assigned cell phone.
 - 1. Authorization for a cell phone allowance will be looked at on a case by case basis and will be approved by the employee's division commander.
 - 2. Employees participating in the cell phone allowance program will provide the personal cell phone number to the office to be distributed in the same manner a traditionally issued cell phone number would be distributed.

3. The personal cell phone will be carried in the same manner with the same expectations as a traditionally issued cell phone.
- C. Work-related information or data contained on the personal cell phone will be treated in the same confidential manner as if the information were contained on a traditionally issued cell phone.
 - D. Work related information or data contained on the cell phone will be made available to supervisors and administrators within the office upon request.

GP 8-20: Personnel Performance Reviews

Chapter: Global Administration

Order No: 2012-11

Effective: 11-29-2012

Revised:

Approved by: Sheriff Kevin Thom

Reference:

Classification: Public

I. Policy

- A. Performance reviews shall be conducted at least annually during the employee's anniversary month. Employees may be evaluated more frequently at the discretion of their supervisor or as directed by the Sheriff.

II. Definitions

- A. N/A

III. General Information

- A. Supervisors will be responsible to conduct annual performance reviews for all employees under their immediate supervision. Employees shall receive an evaluation at the end of their year of employment prior to being removed from the one-year probationary status. Thereafter, evaluations should be conducted within the month of the employees' anniversary date. The evaluation will be based on the specific responsibilities stated in the employee's job description. The supervisor shall review the evaluation with the employee. Employees will be given opportunity to agree, disagree and make comments on the evaluation. Employees will sign acknowledging the evaluation has been reviewed with them.
- B. Evaluations will be referenced for the consideration on merit raises, requested transfers, and promotions.

IV. Procedural Guidelines

- A. Supervisors receive quarterly report noting employee's employment anniversary date.
- B. Supervisor utilizes approved performance evaluation template to complete narrative evaluation.
- C. Supervisor submits, the completed evaluation to their immediate supervisor for secondary signature.
- D. Supervisor schedules time to meet privately with employee to review the evaluation.
- E. Supervisor allows employee to comment and sign the evaluation.
- F. Employee is provided a copy of their evaluation.

- G. Supervisor reports evaluation date to administrative assistant for record.
- H. Supervisor places original evaluation in employee's personnel file.

GP 8-30: Employee of the Month

Chapter: Global Administration

Order No: 2015-01

Effective: 01-25-2015

Revised:

Approved by: Sheriff Kevin Thom

Reference:

Classification: Public

I. Policy

- A. The Pennington County Sheriff's Office and its employees proudly recognize staff through a nomination process when performance exceeds highest standards of normal duties.

II. Definitions

- A. **EOM:** Employee of the Month. Only one individual per nomination form may be submitted for consideration of employee of the month.
- B. **Employee of the Month Coordinator:** PCSO Employee responsible for completing employee of the month procedures.

III. General Information

- A. Nominations submitted by employees should include:
 - 1. A specific incident or overall demonstration of professionalism.
 - 2. Explicit description of incident or performance.
 - 3. Dates of incident or performance if available
- B. Employees may only receive the EOM award once in a 12-month period regardless of division.

IV. Procedural Guidelines

- A. Nomination
 - 1. Fill out nomination form and email to EOM Coordinator or place nomination in sealed envelope and leave where EOM Coordinator designates.
- B. EOM Coordinator responsibilities:
 - 1. By the 10th day of the month, the EOM Coordinator notifies employees that nominations are due as close to the 20th of the month as possible.

2. Send nominee names to Chief Deputy/Commander/Director/
Captains/Lieutenants confirming nominated employee is in good standing and eligible to proceed in process.
3. Upon good standing confirmation:
 - a. Remove name from nomination narrative.
 - b. Email anonymous nominations to outside administration staff division judges. Deadline for selections is the 25th of the month.
 - c. Notify Sheriff/Chief Deputy/Commander/Director/Captains of selected EOM.
 - d. Email Vanway Trophy with the EOM's name and month/year for inscription along with a date for completion.
 - e. When notified by Vanway that the plate is done, pick up the plate and install it on the plaque.
 - f. Type a brief synopsis of the nomination and include the employee's picture for display.
 - 1) Template attached to policy
 - g. On the last working day of the month, change the picture out in the display plaque.
 - h. First working day of the month:
 - 1) Send out an email notification to all employees.
 - 2) Hang both plaques
 - 3) Notify Community Liaison who will:
 - i. Email EOM name, month of award and picture to rcy.news@lee.net and post information to Facebook.

GP 8-40: Commendation and Award Process

Chapter: Global Administration
Order No: 2017-02
Effective: 08-01-2000
Revised: 05-01-2023
Approved by: Sheriff Brian Mueller
Reference:
Classification: Public

I. Policy

- A. The Pennington County Sheriff's Office routinely recognizes its employees/citizens when duty is performed in a manner exceeding the highest standards of the office, an employee achieves career milestones or when employees retire honorably.

II. Definitions

- A. **Awards Review Board:** Consisting of one member of the command staff and one employee from each division, each having served the PCSO for at least five years.
- B. **Above and Beyond the Call of Duty:** An act performed which is not required by the employee's position. The act performed must have been one of personal bravery or self-sacrifice so conspicuous as to clearly illustrate a willingness to risk their life in the performance of duty.
- C. **Combat:** Physically fighting with a suspect(s), with or without weapons.
- D. **Extreme Risk:** A condition that very possibly may result in death.
- E. **Highly Professional Conduct or Performance:** An act or series of acts that is indicative of exemplary initiative in performing an outstanding law enforcement action or the performance of the employee's assigned functions in an unusually effective manner.
- F. **Operational Risk:** A situation that involves personal danger to an employee but is unlikely to produce death.
- G. **Saving of a Life:** A situation in which if the action had not been taken, there is no doubt that someone would have died.
- H. **Significant Risk:** A condition that may produce death but such death would be an accompanying factor in the condition rather than a specifically intended result.

III. General Information

- A. Employee and PCSO Volunteer Commendations and Awards
 - 1. Awards of medals (a through d) will be in the form of a medal suitable for wear. For sworn employees, the medals can be worn on duty uniforms. Awards not

involving a medal will be in the form of a certificate of award suitable for framing.

- a. Medal of Valor: To be awarded for an act that involves extreme risk to the life of the employee and which is performed above and beyond the call of duty.
- b. Medal of Distinguished Service: To be awarded for an act which involves significant risk to the life of an employee.
- c. Medal for Meritorious Service: To be awarded for an act that results in the saving of a life but which involves no personal danger to the employee.
- d. Sheriff's Commendation Medal: To be awarded for an act showing evidence of selfless conduct by an employee during a time of crisis or emergency but which does not meet the criteria of a valorous, distinguished or meritorious act or an act showing highly professional conduct or performance.
- e. Wound Medal: For a wound(s) received in the line of duty, inflicted intentionally by an armed or unarmed adversary, resulting in serious a puncture wound, lacerations, fractures, or concussion being suffered by the nominee.
- f. Professional Achievement Award: Awarded to either sworn or non-sworn personnel who have demonstrated exceptional commitment, competence, achievement, and professionalism. Criteria for selection of this award will be based upon performance evaluations, letters of recommendation, recommendations from the public, and "Board" input.
- g. Annual Employee Physical Agility Testing: Any employee completing the annual agility testing standards at the 80 percentile or higher will be recognized for their accomplishment.

B. Citizen Commendations and Awards

1. The support and cooperation of the citizens is essential for the effective investigation, prosecution, and reduction of crime. Each citizen must recognize his or her obligation to the community and their shared responsibility for its wellbeing. The Sheriff's Office seeks to encourage and recognize the acceptance of those duties through the recognition of those citizens whose actions have contributed to the apprehension of criminals, the prevention of crime or the safety of the community.
2. Awards for medals 1-4 will be in the form of a medal suitable for wear. Awards not involving a medal will be in the form of a certificate of award suitable for framing.

- a. Citizen Medal of Valor: For an act that involves extreme risk to the citizen and that is above and beyond citizen responsibility.
 - b. Citizen Distinguished Service: For an act that involves significant risk to the life of the citizen.
 - c. Citizen Meritorious Service: For an act that saves a life but involves no personal danger to the citizen.
 - d. Citizen Commendation: For aid rendered to law enforcement that involves assisting the Sheriff's Office in achieving its mission.
- C. Special Awards: The Sheriff has the authority to permit special awards to be worn on the duty uniform. Formal permission to wear such awards will be granted in writing at the time of the award and become a permanent part of the employee's personnel file. Employees must request written permission to wear awards from other agencies and/or citizen groups.
- D. Recognizing Years of Service for the Sheriff's Office: Sworn and non-sworn personnel will be recognized with a lapel pin for every fifth-year anniversary of employment that can be worn on the duty uniform.
- 1. Lapel pins will signify years of service such as the five-year anniversary, 10-year anniversary, 15-year anniversary, etc.
- E. Annual Agility Testing Recognition: Employees who complete the agility test on their first attempt at or above the 80 percentile for their age and gender will be recognized by receiving a t-shirt. Those in each age category with the highest overall percentage will be recognized individually.
- F. Employee Exits: Sworn and non-sworn personnel with at least ten years of service, and leave the office under favorable conditions, will receive a plaque commemorating their years of service.
- 1. Upon exit with 10 or more years, but less than 15 years of service, employees will receive a crystal jaded plaque.
 - 2. Upon voluntary resignation with 15 or more years of service, or retirement with 10 or more years of service to Pennington County, employees will have the option to receive either a piano board plaque or a piano board clock.
 - a. If the employee is sworn, their duty badge will be affixed to the plaque.
- G. Sworn Law Enforcement Officer Honors: if a deputy honorably retires with more than 20 years of law enforcement service, they will also receive their duty sidearm.

IV. Procedural Guidelines

- A. **Awards Review Board:** Members of the board are responsible for reviewing initial recommendations for commendations and awards for both PCSO personnel and citizens, and then submitting final recommendations to the Sheriff for approval.
1. A list of current Awards Review Board members will be maintained by the Sheriff's Administrative Coordinator.
 2. A recommendation of an employee award or citizen award is submitted through the chain of command to the Division Commander, who then submits the recommendation of the Awards Review Board.
 3. Consideration of recommendations for commendations/awards will occur as needed.
 4. PCSO Personnel or citizens receiving a commendation/award will be notified of the receipt of that honor as soon as practicable.
 5. The formal presentation of awards will be held at the subsequent quarterly PCSO Promotion, Employee Anniversaries, and Awards ceremony.
 6. Employee commendation received by any means other than a citizen letter will be documented.

GP 8-50: Employee Vaccinations

Chapter: Global Administration
Order No: 2018-08
Effective: 09-21-2018
Revised: 12-17-2019
Approved by: Sheriff Kevin Thom
Reference:
Classification: Public

I. Policy

- A. To protect the health of staff, clients, inmates and detainees designated personnel are offered tuberculosis (TB) testing, Hepatitis B vaccinations and flu shots.

II. Definitions

- A. **Hepatitis B:** An infectious inflammatory illness of the liver. The virus is transmitted by exposure to the infectious blood or body fluids.
- B. **Mantoux Skin Test:** A diagnostic tool screening for Tuberculosis.
- C. **Tuberculosis:** An infectious disease that typically attacks the lungs, but can also affect other parts of the body. It is spread through the air when people who have an active infection cough, sneeze, or otherwise transmit their saliva through the air.

III. General Information

- A. Nursing staff will provide Mantoux Skin Tests to all new direct-care staff during the individual's orientation.
 - 1. This must be completed within 14 days of hire prior to job assignment unless verification is obtained that testing has been complete in the prior six months.
 - 2. Testing shall be done in accordance with the South Dakota Department of Health's clinically accepted test procedures and must be read by a License Practical Nurse (LPN), Emergency Medical Technician (EMT) or a Registered Nurse (RN).
 - 3. Refusal to participate should be addressed by the division commander or designee.
 - 4. A referral to Black Hills Occupational Health is initially required for those with a history of tuberculosis or a prior positive skin test.
 - a. Costs and results will be remitted to the Sheriff's Office
 - b. Based on employee history, Black Hills Occupational Health will administer current best practices

5. Annual testing thereafter is optional for non-correctional staff.
- B. All staff assigned to direct inmate care in a correctional setting is offered the Hepatitis B vaccine series.
- C. All staff are offered an annual flu shot.
- D. Documentation of vaccinations and/or refusals will be kept in the employee's personnel file with the exception of the flu shot. Flu shot records are remitted directly to the individual employee.

IV. Procedural Guidelines

- A. Tuberculin skin test
 1. Employee is informed on hire date or annually of required TB testing.
 2. Nursing staff administers Mantoux Skin Test in employee's left forearm.
 3. Employee returns within 48 hours later to have medical staff read the results.
 - a. Employees must return no later than 72 hours for results or the test has to be re-administered.
 4. Results are documented and forwarded to human resources.
 5. This with a positive result, a past positive result, or have a history of tuberculosis are directed to have a chest x-ray completed.
 - a. Verification of results are required.
- B. Hepatitis B Vaccine
 1. Medical staff provides an information/consent form to staff to read and signs.
 2. After staff signs the forms, medical staff:
 - a. administers the first doses of the series in the vaccination;
 - b. Documents the vaccination information, date of vaccine, and initials the form;
 - c. Schedules the next doses received; and,
 - d. Forwards them to human resources.
- C. Flu Shot
 1. Medical staff provides an informational/consent form to staff to read and sign.
 2. Medical staff administers the shot.
 3. Results are documented and returned to the employee.

GP 9-10: Prescription Medication Pick-Up

Chapter: Prescription Medication Pick-Up

Order No: 2012-08

Effective: 04-27-2012

Revised: 07-08-2019

Approved by: Sheriff Kevin Thom

Reference:

Classification: Public

I. Policy

- A. Medication for Addiction Treatment Services at the Care Campus (ATS), Pennington County Jail (PCJ) and Juvenile Services Center (JSC) will be picked up for clients and inmates one time per day from specified pharmacies unless an emergent situation exists.

II. Definitions

- A. N/A

III. General Information

- A. To efficiently make use of staff time and keep medication needs organized ATS will pick up medications from Sioux San Indian Health Services, Rapid City Regional Hospital and Walgreen's located on Mt. View Road only. ATS staff will deliver all medications obtained from the pharmacies to each division one time per day.

IV. Procedural Guidelines

- A. ATS, PCJ and JSC nursing staff will order needed medications from client/inmates' pharmacy.
- B. ATS, PCJ and JSC nursing staff will fax a list of medications and inmate/client names to RCRH and Sioux San to provide information to each pharmacy as to medications that need to be sorted to their own division.
 - 1. RCRH – fax no. = (605) 719-4763
 - 2. Sioux San – fax no. = (605) 355-2565
- C. ATS, PCJ and JSC nursing staff will log medication pick up need in intranet website.
 - 1. Go to PCSO intranet website (<http://pcso/default.aspx>)
 - 2. Click Jail Information on left-hand side
 - 3. Select Pharmacy pick up
 - 4. Select New

5. Enter the following information
 - a. Date
 - b. Facility requesting medication
 - c. Pharmacy
 - d. Inmate/Client name
 - e. Inmate/client date of birth
 6. Click "OK"
- D. ATS staff assigned for medication pick up will prepare for pharmacy run at approximately 13:30 Monday through Friday and Saturdays at approximately 11:30.
- E. ATS staff collects empty medication bags for preparation to pick up medications.
- F. ATS staff will log into intranet to obtain list of medications needed for pick up using the following procedure.
1. Go to PCSO intranet website (<http://pcso/default.aspx>)
 2. Click Jail Information on the left-hand side
 3. Select Pharmacy pick up
 4. Click on "Actions"
 5. Select "Export to spreadsheet"
 6. If you get a popup message that says "to export a list" click the OK button
 7. When you get a popup message asking to open or save the file, click OPEN
 8. If you get a popup message regarding Security click ENABLE
 9. Select Print from the Excel Spreadsheet option
- G. ATS staff takes list and travels to Walgreen's, Sioux San and Rapid City Regional Hospital completing the following steps while at each pharmacy:
1. Enter pharmacy
 2. Report list of medications needed from pharmacy by using printed list obtained from Intranet
 3. Review list to compare with bagged medications with pharmacist
 4. Note by each name that the medication is present
 5. Pharmacist locks medication bags if they obtained Scheduled IV medications

6. ATS staff leaves empty medication bag for each division (JSC, PCJ and ATS) with pharmacist
 7. ATS staff obtains filled bags from pharmacist
 8. ATS staff leaves pharmacy
- H. ATS staff after having collected medications needed from each pharmacy then takes medications and delivers those needed for JSC.
1. ATS use entrance on South West side of WSDJSC building
 2. Entrance to WSDJSC is obtained by pushing button at this entrance
 3. Booking staff will allow ATS staff entrance
 4. ATS staff provides WSDJSC medications to staff and collect any empty medication bags
- I. ATS staff then takes medications to PCJ.
1. ATS staff uses the drive under entrance at PCJ
 2. ATS staff enters the Law Enforcement Intake Area
 3. ATS staff alerts Booking Tech of medication drop off
 4. Booking Tech seals bag and places in medication box
 5. Booking Tech alerts PCJ medical
 6. PCJ Nurse meets ATS staff and provides empty medication bag for re-delivery
- J. ATS staff delivers medications to Lacrosse Street location and completes the following:
1. ATS staff logs onto PCSO intranet we website (<http://pcso/default.aspx>)
 2. Click Jail Information on the left-hand side
 3. Select Pharmacy pick up
 4. Select Client Name
 5. Select Edit
 6. Medication was picked up
 7. Enter your initials under Transport Person
 8. Repeat for each client/inmate that medications were obtained for using list taken during medication pick up.

GP 10-10: Training Instructors

Chapter: Staff Development
Order No: 2014-01
Effective: 06-25-2014
Revised: 05-15-2024
Approved by: Sheriff Brian Mueller
Reference:
Classification: Public

I. Policy

- A. The Pennington County Sheriff's Office will maintain a qualified group of instructors to provide employee training.

II. Definitions

- A. N/A

III. General Information

- A. Employees may be assigned as instructors to provide general training to Sheriff's Office staff based on job experience or they may be assigned as a primary instructor for topics requiring specialized training or certification. Topics requiring instructors to have specialized training may include:
 - 1. Firearms
 - 2. Constitutional law
 - 3. Traffic radar
 - 4. Defensive tactics
 - 5. Taser (electronic control device)
 - 6. Physical fitness
 - 7. Confidentiality of Substance Abuse Information
 - 8. CPR/AED/First Aid
 - 9. Other topics as necessary
- B. The training Division will maintain an Instructor Biography for all Sheriff's Office instructors. The Instructor Biography will be a record of all experience and training completed by the instructor relevant to the instruction subject(s).
- C. Whenever possible, the expertise of Sheriff's Office employees will be used in the training of other employees to maximize efficiency.

- D. Outside instructors may be used when a Sheriff's Office instructor is not available. They shall be selected by virtue of their expertise and shall be closely supervised to ensure the quality and content of their presentation.

IV. Procedural Guidelines

A. Selection of Instructors:

1. The Command Staff will determine the need for instructors in certain cadres or topics.
2. The Training Division will announce instructor vacancies via e-mail to Sheriff's Office eligible employees based on instructor need.
 - a. The announcement will specify the application process and the qualifications for the assignment.
3. Interested employees will complete the application process.
4. Selection for instructor assignments will be made by the Command Staff based on several factors to include:
 - a. Previous training, experience, and expertise related to the assignment.
 - b. Current assignment including length of assignment, responsibilities, and performance.
 - c. Demonstrated skills, knowledge, and abilities.
 - d. The ability to speak comfortably before groups and to express oneself effectively both orally and in writing.

B. Training of Instructors:

1. Employees selected for an instructor assignment will complete instructor development training which covers at a minimum:
 - a. Lesson plan development
 - b. Performance objective development
 - c. Learning theory
 - d. Instructional techniques
 - e. Testing and evaluation methods
 - f. Resource availability and use
2. Education and experience may be substituted for instructor development training.

3. Instructor development training may be conducted within the Sheriff's Office or through an outside training source.
4. Technical instructors (firearms, defensive tactics, Taser, etc.) shall complete the required training necessary to be instructors in their field.

C. Instructor Duties:

1. Upon assignment, the instructor will provide a completed Instructor Biography Sheet to the Training Division.
 - a. The Instructor will update his or her Instructor Biography annually or anytime the information changes. Updates will be provided to the Training Division.
2. Instructors are responsible for maintaining their proficiency and level of expertise through appropriate methods.
 - a. All recertification, specialized, or refresher training will be coordinated with the Training Division.
3. Instructors will be required to provide and maintain lesson plans for instruction topics.
 - a. Lesson plans and other materials will be provided to the Training Division for approval and filing.
4. Instructors will be scheduled to provide training for selected topics by the Training Division.
 - a. Schedules will be coordinated with the instructor's supervisor.
5. The instructor will report to the training location on time and prepared to present the topic.
 - a. The Training Division will provide the instructor the date, time, location, class roster, and sign-in sheet for each training.
 - b. Instructors will coordinate additional needs with the Training Division prior to the training as needed.
6. The instructor will take attendance ensuring all participants sign the attendance sheet at the start of each training class.
7. After completing a training class, the instructor will submit the Training Close-Out Sheet and required documentation to the Training Division.

D. Instructor Tenure: Instructors shall maintain their instructor status as long as:

1. The instructor maintains a satisfactory job performance level in all areas of their primary assignment.

2. The instructor desires to continue in that capacity.
3. The instructor maintains required qualifications.
4. There is a need to continue to present the subject.
5. The nature of the instructor's assignment or duties does not make continued instruction difficult or otherwise not applicable.

GP 10-20: Training Lesson Plans

Chapter: Staff Development
Order No: 2014-01
Effective: 06-25-2014
Revised: 05-15-2024
Approved by: Sheriff Brian Mueller
Reference:
Classification: Public

I. Policy

- A. The Pennington County Sheriff's Office requires lesson plans for all pre-service, in-service, and roll call trainings.

II. Definitions

- A. N/A

III. General Information

- A. The lesson plan establishes the purpose of the training program; sets forth the performance objectives; relates training to critical job tasks; identifies what will be taught and the manner in which it will be presented.
- B. The lesson plan will establish a basis for standardizing repeated presentations of the same course.
- C. Employees not meeting the performance objectives, as identified in the lesson plan, may be scheduled for remedial training.
- D. All lesson plans will be completed in a standard format. Instructors shall not make any changes to the standard format without the approval of the Training Administrator.
- E. Performance objectives must be quantifiable and measurable in terms of retained knowledge or skills and shall:
 - 1. Focus on requirements of the target group by considering the training provided the groups ranks, assignments, job descriptions, etc.
 - 2. Provide clear statements of what is to be learned.
 - 3. Provide a basis for evaluating the participants.
 - 4. Provide a basis for evaluating the effectiveness of the training.
- F. The content of the body of the lesson plan will be dictated by the subject matter and will normally be prepared as follows:

1. The contents shall be arranged in a standard outline format (Roman numerals, capital letters, Arabic numerals, and lowercase letters).
 - a. The outline should not contain the presentation verbatim, but should present the key ideas and issues.
 2. The width of the right margin shall be approximately one third of the page to allow for notes to be written by the instructor.
- G. The lesson plan shall include all pertinent information so that any instructor with adequate knowledge of the topic can present the training similar to other instructors.
- H. All lesson plans must be approved by the Training Division prior to the training.

IV. Procedural Guidelines

- A. The instructor will submit the proposed lesson plan to the Training Division a minimum of two weeks prior to the date of the training.
- B. The Training Division will ensure the lesson plan:
1. Is consistent with Sheriff's Office policies and procedures and state and federal law.
 2. Sets forth the training and performance objectives.
 3. Provides all pertinent information necessary for consistent presentation.
- C. Approved lesson plans will be given an effective date and assigned a lesson plan number by the Training Division.
1. Lesson plans not approved will be returned to the instructor for modification.
 2. Once a lesson plan has been approved, the instructor must submit a revised lesson plan for approval before making any changes to the training.
- D. The Training Division will maintain all lesson plans and revisions on file.

GP 10-30: Training Plan Development

Chapter: Staff Development
Order No: 2014-01
Effective: 06-25-2014
Revised: 05-15-2024
Approved by: Sheriff Brian Mueller
Reference:
Classification: Public

I. Policy

- A. The Pennington County Sheriff's Office training program will be developed, planned, coordinated, and implemented by qualified supervisory staff to ensure the highest quality training is provided to Sheriff's Office employees. The training program will be reviewed annually.

II. Definitions

- A. N/A

III. General Information

- A. The training program will be developed and planned through collaboration between the Training Division and designated supervisory staff from the other divisions of the Sheriff's Office.
- B. The training program will meet new employee, annual in-service, and professional development training needs for the respective job classifications and duties of all Sheriff's Office employees.
- C. Approval for training will be contingent upon its value to the employee(s) and the Sheriff's Office. Conducting training in the most cost-effective manner will be considered.
- D. The following resources may be considered in the development of the training program:
 - 1. Mandatory training required for accreditation, licensure, etc.:
 - 2. Areas of deficiency or training needs identified in office inspection reports, internal affairs investigations, or employee performance. The deficiency shall be addressed by the supervisor and they may request training in the problem area.
 - 3. Recommendations of supervisory or management staff.

4. Informal suggestions and observations by employees, as well as, formal suggestions made as the result of training needs assessments, evaluations, or training committees.
5. Needs assessment based on job task analysis of current job descriptions.

IV. Procedural Guidelines

- A. Each year, designated supervisory employees within each division will identify the training needs of the employees from their division.
 1. This information along with recommendations, will be provided to the Training Division prior to the upcoming training year.
- B. The Training Division will develop a training program to meet the needs of each division, utilizing global training resources.
- C. Training schedules will be coordinated with each division.
 1. The Training Division will maintain the global training calendar.
- D. Updates and adjustments will be made to the training program as training needs change.

GP 10-40: Training Function

Chapter: Staff Development
Order No: 2014-01
Effective: 06-25-2014
Revised: 05-15-2024
Approved by: Sheriff Brian Mueller
Reference:
Classification: Public

I. Policy

- A. The Pennington County Sheriff's Office will provide training to all employees. The training will be consistent with job requirements and professional development needs.

II. Definitions

- A. **Training Division:** Sheriff's Office employees whose primary duty is to coordinate and facilitate training for Sheriff's Office staff.
- B. **Internal Training:** Training provided to all employees of a similar job category, completed at an on-site location and/or by the Pennington County Sheriff's Office instructors. May include pre-service, in-service, on-the-job, roll call, and web-based trainings.
- C. **External Training:** Training only provided to select employees, completed at offsite locations and/or by outside, independent instructors.
- D. **Remedial Training:** Additional training intended to improve areas of deficiency for identified employees.

III. General Information

- A. All internal and external training for Pennington County Sheriff's Office staff will be coordinated by the Training Division.
- B. The training program will be developed and planned to meet the needs of all divisions and each staff member's respective job classification.
- C. Adequate space and equipment shall be provided for staff training and development.
 - 1. The Sheriff's Office will maintain a training library with books and other materials available to complement staff training and professional development.
 - 2. The Sheriff's Office will maintain a computer lab for employee use for web-based training.
- D. All training presentations and lesson plans are evaluated on a continuing basis and updated or replaced as necessary. The overall training plan will be reviewed annually.

- E. Training provided to Sheriff's Office staff may include:
 - 1. Pre-service Training
 - 2. On-the-Job / Field Training
 - 3. In-service Training
 - 4. Roll Call / Short Topic Briefing Training
 - 5. Web based Training
 - 6. Independent Study
 - 7. External Training
- F. Remedial training shall be provided in situations as deemed appropriate by the Sheriff or designee. Remedial training may be recommended by any supervisor.
- G. When practical, to provide efficient and effective training, interagency training will be coordinated with other law enforcement, public, or private agencies.
 - 1. The Sheriff or designee may authorize law enforcement personnel from other agencies or persons from public or private agencies to attend Sheriff's Office training programs or have access to training materials.
 - 2. The Sheriff or designee may authorize a member of the Pennington County Sheriff's Office to conduct training for the Law Enforcement Officer's Standards and Training Commission, other law enforcement agencies, or other public or private organizations.

IV. Procedural Guidelines

- A. For internal and external trainings, the Training Division will:
 - 1. Collaborate with designated administrative or supervisory personnel to develop the training program.
 - 2. Plan and coordinate training and professional development to include:
 - a. Providing a master list of all training and professional development opportunities.
 - b. Securing a location for the training, when applicable.
 - c. Arranging for a qualified instructor, when applicable.
 - d. Providing necessary equipment and materials.
 - 3. Verify attendance at and completion of training.
 - 4. Maintain all required records of the training.

- B. Employees who have exhibited a lack of knowledge or poor performance may be scheduled for remedial training.
1. The supervisor will coordinate the remedial training with the Training Division.
 2. Employees requiring remedial training will be informed by their supervisor.
 - a. The remedial training will be scheduled in a timely manner.
 - b. The employee will attend the remedial training as directed.
 3. The instructor for the remedial training will provide the Training Division of completion and a written assessment of the employee's performance based on the objectives of the verification training.
 4. The Training Division will provide the outcome of the remedial training to the appropriate supervisors.
 5. The Training Division will record all remedial training in the employee's training record.

GP 10-50: Training Records

Chapter: Staff Development
Order No: 2014-01
Effective: 06-25-2014
Revised: 05-15-2024
Approved by: Sheriff Brian Mueller
Reference:
Classification: Public

I. Policy

- A. The Pennington County Sheriff's Office will maintain training records in an orderly and appropriate manner in order to provide proper documentation of all training completed by the employees.

II. Definitions

- A. **Employee Training File:** Individual training records documenting all training completed by the employee.
- B. **Training Course Record:** An administrative file created for each training program/course presented by Sheriff's Office instructors.

III. General Information

- A. The Training Division shall be responsible to maintain accurate and current training records for all employees.
- B. Employees or instructors completing training will provide documentation of all training to the Training Division.
- C. All approved lesson plans (originals and revisions) will be maintained by the Training Division.
- D. Training records will be maintained in either paper or digital format.

IV. Procedural Guidelines

- A. **Employee Training Files:**
 - 1. After completing external training, independent study or other optional training, the employee will provide documentation of the training to the Training Division. It will include:
 - a. Title of the training and the instructor's name(s).
 - b. Date(s) of training and hours completed.
 - c. Information about topic.

- d. Related documentation as applicable (Training Completion Form) certificates, completion cards, handouts, course tests, etc.
2. The Training Division will enter the information into the employee's permanent training record.
 - a. Paper documentation provided by the employee will be uploaded into the digital training record.

B. Training Course Records:

1. After completing a training program, the instructor will provide documentation of the training to the Training Division. It will include:
 - a. Approved lesson plans
 - b. Date(s) and hours training presented
 - c. Instructor's name(s)
 - d. Attendance sign-in sheets
 - e. Training Completion Form, as applicable
 - f. Power Point, handouts, tests, etc., as applicable
 - g. Course/Instructor evaluations, as applicable
2. The Training Division will enter the information into the applicable employee training files and into the Training Course Record.
 - a. Paper documentation provided by the instructor will be uploaded into the digital training records.

C. Training records shall only be released upon the following conditions:

1. Upon request of the employee.
2. At any other time upon approval of the Training Division Lieutenant, Command Staff, Division Commanders, Chief Deputy or Sheriff.
3. Receipt of written request for records with the appropriate authority.

GP 10-60: Training Program Attendance

Chapter: Staff Development
Order No: 2014-01
Effective: 06-25-2014
Revised: 05-15-2024
Approved by: Sheriff Brian Mueller
Reference:
Classification: Public

I. Policy

- A. The Pennington County Sheriff's Office will identify mandatory and optional training events for all employees. Staff scheduled for training will adhere to the same reporting requirements as any other duty assignment.

II. Definitions

- A. N/A

III. General Information

- A. All employees attending any type of training shall be dressed in either the uniform of the day or appropriate attire. The instructor and/or employee's supervisor will determine appropriate dress based on training conditions and requirements. (See Global Policy 3-10).
- B. Failure to attend scheduled training shall be treated as failing to report for duty. (See Pennington County Employee Handbook, Section 3.11)
- C. Employees required to attend training off-site or during off-duty hours shall be reimbursed for approved costs and compensated for time spent in training. (See Global Policy 4-20 and 4-21).
- D. During a training exercise all employees, regardless of rank, will adhere to the directions of the instructor.
- E. In the event any employee believes a training exercise is unsafe or unlawful, the training or that portion of the exercise believed unsafe or unlawful shall be suspended. All such actions will be reported to the Training Division immediately.

IV. Procedural Guidelines

- A. Employees will be scheduled to attend selected trainings by their supervisor.
- B. The supervisor will notify the Training Division that an employee is scheduled to attend a training.
- C. The supervisor will provide the date, time, and other relevant information to the employee.

- D. If an employee is unable to attend a scheduled training they shall notify their supervisor and the Training Division as soon as possible.
 - 1. The supervisor will coordinate make-up training with the Training Division when applicable.
- E. **For Internal Training:**
 - 1. The Training Division will provide a class roster and sign-in sheet to the instructor prior to the training.
 - 2. All attendees will print their name on the sign-in sheet.
 - 3. The instructor will return the completed sign-in sheet to the Training Division after the training.
- F. **For External Training:**
 - 1. The Training Division, in conjunction with the supervisor, will provide relevant training information to the employee.
 - 2. After completing the training, the employee will provide a Training Completion Form and any pertinent training documentation to the Training Division.
- G. The Training Division will record the attendance and upload submitted documents into the employee's training file.

GP 11-10: Chaplain Program

Chapter: Auxiliary Programs
Effective: 08-01-2000
Revised: 12-29-2023
Approved by: Sheriff Brian Mueller
Reference:
Classification: Public

I. POLICY

- A. The Pennington County Sheriff's Office supports a Sheriff's Chaplain Program designed to provide assistance to personnel of the Sheriff's Office, their families, and the community in situations that call for the services of a Chaplain.

II. DEFINITIONS

- A. A Sheriff's Chaplain is a non-sworn volunteer civilian position serving at the pleasure and direction of the Sheriff.

III. GENERAL INFORMATION

- A. The Sheriff's Chaplain Program's purpose is to serve and assist the Sheriff in helping to meet the spiritual needs of the Pennington County Sheriff's Office personnel, families, and the community. The Sheriff's Chaplain Program can offer spiritual guidance and assistance, and also serves as a link in the communication between personnel in crisis and their own spiritual advisors. The Sheriff's Chaplains are appointed by the Sheriff.

IV. PROCEDURAL GUIDELINES

- A. **Organizational Assignment:** The Sheriff's Chaplain Program is a resource available to the entire Sheriff's Office with oversight being handled by the Wellness Coordinator; however, Sheriff's Chaplains shall have direct access to the Sheriff on all matters regarding the spiritual and moral welfare of employees of the Sheriff's Office.
 - 1. Sheriff's Chaplains shall serve as volunteers and will be non-sworn members of the Sheriff's Office. All Sheriff's Chaplains shall be approved and shall serve at the pleasure of the Sheriff. A member of this program will not be armed and only possess those powers of arrest as granted any other citizen under state law. An exception to this guideline can be made for any sworn law enforcement officer that is also serving as a Sheriff's Chaplain.

2. The authorized size of the Sheriff's Chaplain Program and the primary assignments of the Sheriff's Chaplains will be set at the discretion of the Sheriff and the division command staff.

B. Qualifications:

1. Prospective members of this unit will meet the following qualifications:
 - a) Be an ordained clergy person of a recognized religious body.
 - b) Have a college degree or professional certification on religion, counseling, education or other related area.
 - c) Be able to understand, accept and relate to persons holding different religious commitments.
 - d) Be of high spiritual and moral standing.
 - e) Must be able and willing to respond to calls, incidents or situations where a need for their services is indicated or necessary.
 - f) Provide a letter of support and recommendation from their church body.
 - g) Be approved by a review board that will consist of Sheriff's Office administrative personnel and active Sheriff's Chaplains.

2. Requirements for maintaining Chaplains status:
 - a) Minimum 10 hours of authorized activity per quarter not including training events (40 hours a year)
 - b) Regular attendance at scheduled training events

C. Administrative: Sheriff's Office personnel may need a neutral person in whom they can confide more freely than they would their supervisors, co-workers, family, or their own clergy, especially in times of serious injury, death, or job-related crises.

1. Sheriff's Chaplains will be available to counsel or make referrals to aid Sheriff's Office personnel in resolving family or other disputes.
2. Sheriff's Chaplains will be available to Sheriff's Office personnel and their families in times of personal stress. Offers of assistance will be made and the individual's wishes to accept or decline will be respected.
3. Sheriff's Chaplains will be available to assist command staff in making notifications to the families of Sheriff's Office personnel who have been seriously injured or killed in the line of duty.

Sheriff's Chaplains may be notified and requested to visit sick and injured Sheriff's Office personnel.

D. Emergency Response: Notification of Sheriff's Chaplain in emergencies will be the responsibility of the on-duty supervisor with the assistance of the Pennington County Emergency Services Communications Center. If needed, the initial call can go to the Wellness Coordinator or designee in charge of the program.

E. Family Notification: In the event of a serious illness, injury, or death of a Sheriff's Office member, the member's family will be offered the support of a Sheriff's Chaplain, to include notification of a member's involvement in a critical incident. Sheriff's Chaplains can provide assistance at hospitals and rehabilitation facilities and support in matters related to funerals.

1. Sheriff's Chaplains will not infringe upon the privacy of Sheriff's Office personnel and their families nor will they attempt to take the place of the ministers or other supportive persons requested by Sheriff's Office personnel and/or employee families to assist.

F. Visits to the Sick/Injured: Sheriff's Chaplains may visit sick or injured Sheriff's Office personnel in the hospital and/or their homes. When an office member or family member is hospitalized, the Sheriff's Chaplains may be notified. These visits are tangible expressions of the care and concern of Sheriff's Office personnel for each other. They also provide an opportunity for the sick and injured to discuss any fears or problems related to the illness or injury.

G. In the Field: Sheriff's Chaplains will be encouraged to ride with patrol deputies and visit other operational divisions to become familiar with all personnel and to become aware of the needs of Sheriff's Office personnel. Division Commanders should be notified of pending visits.

1. Ride-a-longs and facility visits will be frequent during the orientation of a new Sheriff's Chaplain and will be continued periodically to keep the Sheriff's Chaplain in touch with the needs of Sheriff's Office personnel for Sheriff's Chaplain services.
2. Sheriff's Chaplains may be called to assist personnel investigating incidents involving serious injury or fatalities.

H. Church: Sheriff's Chaplains will be in good standing with their own churches or religious organization.

1. No particular faith or denomination will be represented to the exclusion of others.
2. Sheriff's Chaplains will maintain professional relationships with the clergy of the community.
3. Sheriff's Chaplains will make referrals to the clergy of choice as soon as possible when Sheriff's Office personnel in crisis request referrals.
4. Sheriff's Chaplains will serve as liaisons between local ministerial alliances or associations and the Sheriff's Office.

I. Community:

1. Sheriff's Chaplains will be available to minister to the families of Sheriff's Office personnel in crisis.
2. Sheriff's Chaplains will be available to counsel youth in the community or at the Western South Dakota Juvenile Services Center when requested to do so.
3. Sheriff's Chaplains will be available to comfort victims and family members in the event of natural disasters.

J. Roster: The Wellness Coordinator will maintain a roster of Sheriff's Chaplains containing their names and contact information and will provide the roster to the Pennington County Emergency Services Communication Center and maintain a roster on the office intranet. The roster will be updated as changes occur.

1. In the event that a specific Sheriff's Chaplain has been requested and communications center personnel have been unable to contact the requested Chaplain, the Wellness Coordinator will be notified to coordinate the required services.

K. Suspension/Revocation: The Sheriff or designee may suspend any Sheriff's Chaplain for policy or procedure violations or in the best interests of the office.

L. Confidentiality: Sheriff's Chaplain will be available to all personnel and their families for counseling. However, as a member of the Sheriff's Office, the Sheriff's Chaplain has a responsibility to report emotional or medical conditions which he considers to be at great danger to the employee their family or others, to the Sheriff or designee.

1. All Chaplains shall be guided by State Law when dealing with confidentiality issues during any counseling situations.

GP 12-10: Sight and Sound Separation of Juveniles and Adults

Chapter: Collocated Adult/Juvenile Detention Facilities

Order No: 2014-02

Effective: 08-14-2014

Revised: 10-26-2023

Approved by: Sheriff Brian Mueller

Reference: SDCL 26-7A-1, 26-8A, 26-8B, 26-8C

Classification: Public

I. Policy

- A. Pennington County Sheriff's Office maintains sight and sound separation of juveniles and adults at all times in facilities that are approved by the Office of Juvenile Justice and Delinquency Prevention (OJJDP) and the South Dakota Department of Corrections as Collocated Juvenile/Adult Detention Facilities.

II. Definitions

- A. **Collocated Facility:** A facility that is in the same building as an adult jail or lockup or is part of a related complex of buildings located on the same grounds as an adult jail or lockup. A complex of buildings is considered related when it shares physical features such as walls and fences or services beyond mechanical services (heating, air conditioning, water, sewer) or beyond specialized services such as medical care, food service, laundry, maintenance and engineering.

III. General Information

- A. Juvenile Detention Facility is a secure, physically-restricting facility designed, staffed and operated for children and separated by sight and sound from adult prisoners or a facility for children in the same building or secure perimeter as an adult jail or lockup, where children are sight and sound separated from adult prisoners, where staff in the detention facility are trained and certified by the entity operating the facility to work with children, and the facility has been approved as a collocated facility by the Office of Juvenile Justice and Delinquency Prevention (OJJDP).
 1. South Dakota Department of Corrections audits sight and sound requirements yearly to ensure compliance.
- B. Floor plans and policies and procedures provide for no sustained sight and sound contact between juveniles and adult offenders.
- C. Total separation of juveniles from adults is achieved in residential areas – sleeping, bathroom, and, lavatory areas.

IV. Procedural Guidelines

- A. All juvenile detention staff receive required training yearly to ensure compliance with sight and sound separation.