

ATTACHMENT E

Foreword

The mission of the Pennsylvania Department of Corrections is as follows:

Our mission is to protect the public by confining persons committed to our custody in safe, secure facilities, and to provide opportunities for inmates to acquire the skills and values necessary to become productive law-abiding citizens, while respecting the rights of crime victims.

As a correctional employee, your integrity, professional deportment and attitude demonstrated through the performance of your duties contributes greatly to the respect, trust, and confidence afforded our agency by the public and by the inmates.

This handbook will provide you with the basic principles, rules, and regulations, by which you as an employee of the Department of Corrections are to conduct yourself. The success of all programs in the correctional system depends upon adherence to these standards by all employees.

With every confidence in your ability to do the job, I wish you success as a professional in the Department of Corrections.

Sincerely,



Jeffrey A. Beard, Ph.D.
Secretary of Corrections

DEPARTMENT OF CORRECTIONS CODE OF ETHICS

This handbook does not include every detail or situation involved in the operation of a Department facility. It aims at the presentation of over all policy guidelines. Facilities will issue more specific and detailed information as needs or circumstances dictate. In no instance, however, will facility rules and regulations take precedence over the policy contained herein.

A. General Responsibility of Department of Corrections Employees

Consistent with the responsibility of all correctional employees in the Commonwealth of Pennsylvania to perform their duties with integrity and impartiality and to avoid situations whereby bias, prejudice, or personal gain could influence official decisions, the following code is being promulgated.

1. Discrimination

The responsibility of all corrections employees is to act in relation to all citizens of the Commonwealth without regard to age, race, color, ancestry, creed, sex, and marital status, national origin, non-job related handicap, or political beliefs. This necessarily includes the inmates whom we supervise and fellow employees with whom we work. All employees are expected to fully comply with the Department of Corrections policy prohibiting sexual harassment.

2. Conflicts of Pecuniary Interest

No department employee shall engage directly or indirectly in any personal business transaction or private arrangements for personal profit which accrues from or is based upon his/her official position or authority. The scope of this provision shall include prohibition against entering into any type of business transaction or private arrangements with inmates. Honorariums paid to Department officials for speaking on official topics shall be deposited in the appropriate Department fund.

3. Representation of Interests

No department employee shall represent or act as an agent for any private interest, whether compensable or not, which could be reasonably expected to result in a conflict between the private interest of the employee and his official state responsibility. This includes but is not limited to representing the interests of inmates.

4. Gifts and Favors

Employees and their families shall not directly or indirectly solicit, accept, or agree to accept any gift of money or goods, loans or services for personal benefit which would influence the performance of their work duties or decision making. Correctional employees shall not accept or perform favors or accept or distribute any gifts, money, or loans to or from inmates or members of an inmate's family.

5. Information

No department employee shall, for personal gain or for the gain of others, use information not available to the public at large, or divulge confidential information without its authorized release; nor shall the employee receive compensation for consultation which substantially draws upon official ideas or data which have not been disclosed to the public.

6. Private Employment

No department employee shall engage in or accept private employment or render private services when such employment or service is incompatible or in conflict with the discharge of the employee's official duties or would tend to impair the employee's independent judgment or action in the performance of his/her duties. Requests for outside employment must be made in compliance with Management Directive 515.18, Supplementary Employment.

B. Specific Rules and Regulations – Department of Corrections

1. Each employee in the correctional system is expected to subscribe to the principle that something positive can be done for each inmate. This principle is to be applied without exception.

This involves an intelligent, humane, and impartial treatment of inmates. Profanity directed to inmates, or vengeful, brutal, or discriminatory treatment of inmates will not be tolerated. Corporal punishment shall not be utilized under any circumstances.

2. Only the minimum amount of force necessary to defend oneself or others, to prevent escape, to prevent serious injury or damage to property or to quell a disturbance or riot will be used. Excessive force, violence or intimidation will not be tolerated. Fighting or horseplay while on duty is prohibited.
3. In event of an emergency, all correctional employees may be utilized for custodial services under the direction of the Superintendent or his designee.
4. Each employee is to assist in preventing escape or in pursuing an escapee as directed by the Superintendent or his designee.
5. In the event any official or employee has been seized, no employee or official shall disregard, alter, modify, or change in any manner the prescribed duties, responsibilities, or obligations on demand by the prisoner or plea between hostages, regardless of consequences, unless on orders from the Secretary or higher authority.
6. There shall be no fraternization or private relationship of staff with inmates, parolees, or members of their families. This includes, but is not limited to trading, bartering or receiving gifts, money, and favors from either the inmate or the inmate's friends, relatives or representative. Moreover, employees are not to deliver gifts or money to inmates' friends, relatives, or representatives.

7. The personal property of inmates will be handled with extreme care and disposed of only by properly designated authority in a manner designated by official Department of Correction's policy. Similarly, no employee may assume the right of ownership of property owned by fellow employees, the state or by inmates; theft or abuse of property or equipment is prohibited.
8. No employee shall leave his assigned post or leave the institution or grounds without being properly relieved and receiving proper authorization from a supervisor. Proper relief involves communicating any special observations or orders to the relief personnel.
9. Lawful orders by a supervisor to a subordinate must be executed promptly and faithfully by the subordinate even though the employee may question the wisdom of such order. The privilege of formally appealing the order may be done at a later date through either the supervisory command structure, civil service appeal, or the grievance machinery.
10. Employees are expected to treat their peers, supervisors, and the general public with respect and conduct themselves properly and professionally at all times; unacceptable conduct or insolence will not be tolerated.
11. All facility keys issued to employees will remain in their possession at all times. Under no circumstances are keys ever to be unguarded, mislaid, unaccounted for, taken from the institution, or turned over to an inmate.
12. Employees in uniform are required to keep said uniforms in a clean and neat condition, free from decoration, other than those officially prescribed. Non-uniformed employees will be required to meet the standards of neatness and grooming as established by their facility.
13. Employees may use their identification as an employee of the Department of Corrections only for identification in performing the duties and responsibilities required in the scope of their employment. Department identification will not be used where an employee may have other employment or in representing other interests.
14. Employees will promptly report to their supervisor any information which comes to their attention and indicates violation of the law, rules, and/or regulations of the Department of Corrections by either an employee or an inmate, and will maintain reasonable familiarity with the provisions of such directives.
15. Alcoholic beverages and controlled substances shall not be carried, stored, or consumed on state property or in any state Facility or vehicle. When a controlled substance or nonproprietary drug is prescribed by a physician, the employee shall immediately notify his/her supervisor and obtain prior written approval to bring the medication onto facility grounds. Such medication must always be kept under the secure control of the employee. An employee shall not report for duty in an unfit condition.
16. Personal weapons shall not be brought onto state property without the advanced written approval of the Superintendent.
17. Employees shall not testify in any civil case in which the Department of Corrections may have an interest without informing the Secretary, unless under court order.

18. An employee shall not use a Commonwealth vehicle for personal business or for any other reason except as authorized. When involved in an accident while operating a state vehicle, all employees will promptly notify their supervisor, and follow the guidelines established in the Governor's Office Administrative Circular 76-23, dated May 9, 1976, and Secretary's memorandum dated January 27, 1982.
19. Employees shall not read books, magazines, newspapers, or other non-job related printed material while on official duty. Employees are required to remain alert while on duty; inattentiveness, sleeping or the appearance thereof is prohibited.
20. Whenever a supervisor has reasonable grounds to believe that an employee is being influenced by a medical or psychiatric condition which is effecting or is likely to effect the employee's ability to perform assigned duties, the Deputy Secretaries, Superintendent, Bureau Director, or Regional Director shall direct such an employee to undergo reasonable examination, at the expense of the Department, to determine the employee's fitness for duty.

An employee who has sustained an injury, illness, or any other condition incurred in the line of duty which could affect the employee's ability to perform assigned duties, the Deputy Secretaries, Superintendent, Bureau Director, or Regional Director shall direct such an employee to undergo reasonable examination, at the expense of the Department, to determine the employee's fitness for duty.

An employee who has suffered an injury, illness, or any other debilitation condition not incurred in the line of duty which could affect his/her ability to perform required duty assignments, may be required by the Deputy Secretaries, Superintendent, Bureau Director, or Regional Director to obtain and submit a complete medical report from his/her physician concerning his/her physical and/or mental condition. The report shall include a detailed explanation and prognosis of the employee's injury, illness, or condition, and any other pertinent information which would aid the Facility's medical officer in evaluating the situation prior to the employee's return to active duty.

21. An employee who knows that he/she will be unable to report for duty due to illness, emergency, or injury shall immediately notify his/her supervisor in accordance with their local policy, advising the supervisor of the nature of the injury, emergency, or illness; and, the expected date of return to duty.

The supervisor shall also be advised of a change in any condition which may occur after the original notification was given. An employee injured while on duty shall report such injury to his/her supervisor as soon as possible and shall comply with the provisions of existing regulations pertaining to such injuries. An employee who becomes ill while on duty and finds it necessary to be relieved from an assigned post or duty shall report this fact to his/her immediate supervisor and comply with #8 above.

22. An employee shall submit any necessary and/or requested work related reports in a timely manner and in accordance with existing regulations. Reports submitted by employees shall be truthful and no employee shall knowingly enter or cause to be entered any inaccurate, false, or improper information or data, or misrepresent the facts in any Department record or report.

23. During off-duty hours, employees will conduct themselves in such a manner so as to demonstrate the public's trust and confidence inherent in their position as a public servant. Any conduct which brings discredit to their profession, responsibilities, the Department of Corrections, or public service at large shall be subject to immediate discipline.
24. All individuals including employees are subject to search upon entrance or egress from a state facility or at any time while on state property owned by the Department of Corrections.
25. Personal cameras and recording devices are prohibited from being brought onto state grounds or introduced into Department of Corrections facilities by employees, inmates, visitors, or the public at large without the advanced written approval of the Superintendent or Regional Director. Similarly, such devices are prohibited from detached duty assignment areas, such as outside hospitals, etc.
26. All employees shall participate in training that is mandated or required by the Department of Corrections.
27. Gambling on official duty is strictly prohibited.
28. All employees have the responsibility to provide their supervisor with their current address and telephone number.
29. All employees shall comply and cooperate with internal investigations conducted under the authority of the Department of Corrections, and respond to questions completely and truthfully, Procedure in cases that may result in criminal prosecution will include those rights accorded to all citizens of the Commonwealth.
30. No employee shall permit an inmate to be in control or exercise authority over other inmates.
31. Corrections Officers are to read, sign, and fully comply with all post orders.
32. All employees including medical staff and counselors are required to report inmate abuse complaints or incidents of inmate abuse to their immediate supervisor.

C. Enforcement

These rules and regulations have been written in the best interest of the Department of Corrections, its employees, and the public which we serve and protect. In event of a conflict involved in interpretation, the best interest of public policy shall be served.

Any employee who violates the provisions of this code shall be subject to immediate disciplinary action by the appointing authority. Nothing herein shall abridge the remedies or responsibilities of employees covered by the Civil Service Act, applicable Collective Bargaining Agreements, Governor's Code of Conduct, #1980-18, or the laws of the Commonwealth.