

	VOLUSIA SHERIFF'S OFFICE GENERAL ORDER GO-001-04	Distribution All Personnel	Reissue/Effective Date 06/19/2020
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Title OATH AND CANON OF ETHICS			
Section		AUTHORITY OF   MICHAEL J. CHITWOOD, SHERIFF	

To protect and serve with courage, honor and integrity by fighting crime, maintaining trust, and building community partnerships.

I. PURPOSE

The purpose of this general order is to ensure that Volusia Sheriff's Office personnel are aware of the actions and attitudes expected of them and to provide members of the public with a general standard by which they can measure the performance of the Volusia Sheriff's Office.

II. DISCUSSION

Florida Statute mandates that Deputies take and subscribe to the Oath of Office, and a Loyalty Oath, prior to appointment and before undertaking the duties of office. **However, this Oath is not simply a document to sign, but rather a personal commitment to the principals of integrity, character and public trust.**

It is equally important that Deputies observe the principles as set forth in the Canons of Law Enforcement Ethics and that all personnel observe and adhere to the agency's general order 26.2, Standards of Conduct.

III. POLICY

It shall be the policy of the Volusia Sheriff's Office to comply with State and Federal law and to preserve and protect the constitutional rights of the community. It shall further be the policy of the Volusia Sheriff's Office that all personnel, prior to assuming sworn status, take and subsequently abide by an oath of office to enforce the law and uphold the nation's constitution or basic law of the land and, where applicable, those of governmental subdivisions.

A. OATH OF OFFICE

1. The Oath of Office for Deputy Sheriffs is mandated by Chapter 30.09(1), Florida Statutes. The language of the oath is set forth in Article II, Section 5(b) of the Florida Constitution. The following oath must be executed by each Deputy Sheriff prior to being assigned to any law enforcement duties.

- a. Oath of Office State of Florida:

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State; and that I will well and faithfully perform the duties of (state office to be held) of Volusia County, on which I am now about to enter. So help me God. (See Deputy Sheriff Oath of Office, VSO Form # 121698.002)

B. LOYALTY OATH

1. The Public Employees (Loyalty) Oath is mandated in Chapter 876.05, of the Florida State Statutes. The following oath shall be sworn and subscribed to by all Volusia Sheriff's Office personnel, and filed prior to the approval of any salary, expenses, or compensation:

- a. Loyalty Oath:

I, _____, a citizen of the state of Florida and of the United States of America, and being employed by or an official of Volusia County and a recipient of public funds as such employee or officer, do hereby solemnly swear or affirm that I will support the Constitution of the United States and of the State of Florida. (See *Public Employee Oath, VSO Form # 121698.001*)

C. CANON OF ETHICS

1. Sworn Deputies of the Volusia Sheriff's Office shall abide by the following Canons of Law Enforcement Ethics and shall receive training in ethics at a minimum biennially.
2. **PRIMARY RESPONSIBILITY OF JOB**
 - a. The primary responsibility of the law enforcement service, and of the individual law enforcement officer, is the protection of the people of the United States through the upholding of their laws; chief among which is the Constitution of the United States and its amendments. The law enforcement officer represent the whole of the community and its legally expressed will and is never the arm of any political party or clique.
3. **LIMITATION OF AUTHORITY**
 - a. The first duty of a law enforcement officer, as upholder of the law, is to know the bounds the law established for its enforcement. The law enforcement officer represents the legal will of the community, be it local, state, or federal. The law enforcement officer must, therefore, be aware of the limitations and proscriptions which the people through law, have imposed as a primary responsibility. Law enforcement officers must recognize the genius of the American system of government which gives no person, group, or institution, absolute power. Law enforcement officers must ensure that they, as prime defenders of that system, do not pervert its character.
4. **DUTY TO BE FAMILIAR WITH THE LAWS AND WITH RESPONSIBILITIES OF SELF AND OTHER PUBLIC OFFICIALS**
 - a. Law enforcement officers shall diligently apply themselves to the study of the principles of the laws which they are sworn to uphold. Law enforcement officers will ascertain their responsibilities in the particulars of their enforcement, seeking aid from superiors in technical matters or principles when such are not understood. Law enforcement officers will make special effort to fully understand their relationship to other public officials, particularly in matters of jurisdiction, both geographically and substantively.
5. **UTILIZATION OF PROPER MEANS TO GAIN PROPER ENDS**
 - a. Law enforcement officers shall be mindful of their responsibility to pay strict heed to the selection of means discharging the duties of their office. Violations of law or disregard for public safety and property on the part of an officer are intrinsically wrong; they are self-defeating in that they instill in the public mind a like disposition. The employment of illegal means, no matter how worthy the end, is certain to encourage disrespect for the law and its officers. If the law is to be honored, it must first be honored by those who enforce it.
6. **COOPERATION WITH PUBLIC OFFICIALS IN THE DISCHARGE OF THEIR AUTHORIZED DUTIES**
 - a. Law enforcement officers shall be mindful of their special identification by the public as upholders of the law. Laxity in enforcing the law or seeking to gain special privilege will negatively reflect upon the law enforcement officer and the police service. The community and the service require that the law enforcement officer lead the life of a decent and honorable person. A law enforcement career gives no person special privileges. It does give the satisfaction and pride of following and furthering an unbroken tradition of safeguarding the American republic. Officers who reflect upon this traditions will not degrade it. Rather, they will so conduct their private lives that the public will record them as examples of stability, fidelity and morality.
7. **PRIVATE CONDUCT**
 - a. Law enforcement officers shall be mindful of their special identification by the public as upholders of the law. Laxity of conduct or manner in private life, expressing either disrespect for the law or seeking to gain special privilege, will certainly reflect badly upon the Volusia Sheriff's Office and the individual officer. The community and the service require that law enforcement officers lead decent and honorable lives. Following a law enforcement career

gives no one special perquisites; however, it does give the satisfaction and pride of following and furthering an unbroken tradition of safeguarding the American republic. Officers who reflect upon this tradition will not degrade it. Rather, they will so conduct their private lives that the public will regard them as examples of stability, fidelity, and morality.

8. CONDUCT TOWARD THE PUBLIC

- a. Law enforcement officers, mindful of their responsibility to the whole community, shall deal with individuals of the community in a manner calculated to instill respect for its laws and its police service. Law enforcement officers shall conduct their official lives in a manner such as will inspire confidence and trust. Thus, they will be neither overbearing nor subservient, as no individual citizen has an obligation to stand in awe of them nor a right to command them. Officers will give service where they can, and require compliance with the law. They will do so neither from personal preference or prejudice but rather as duly appointed officers of the law discharging a sworn obligation.

9. CONDUCT IN ARRESTING AND DEALING WITH LAW VIOLATORS

- a. Law enforcement officers shall use powers of arrest strictly in accordance with the law and with due regard for the rights of the citizen concerned. Their office gives them no right to judge the violator nor to mete out punishment for the offense. They shall, at all times, have a clear appreciation of responsibilities and limitations regarding detention of the violator.
- b. They shall conduct themselves in such a manner as will minimize the possibility of having to use force. To this end, they shall cultivate a dedication to the service of the people and the equitable upholding of the law, whether in the handling of the law violators or in dealing with the law-abiding citizens.

10. GIFTS AND FAVORS

- a. Law enforcement officers, representing government, bear the heavy responsibility of maintaining in their conduct the honor and integrity of all government institutions. They shall, therefore, guard against placing themselves in a position in which any person can reasonably assume that special consideration is being given. Thus, they should be firm in refusing gifts, favors or gratuities, large or small, which can, in the public mind, be interpreted as capable of influencing their judgment in the discharge of their duties.

11. PRESENTATION OF EVIDENCE

- a. Law enforcement officers shall be concerned equally in the prosecution of the wrongdoer and the defense of the innocent. They shall ascertain what constitutes evidence and shall present such evidence impartially and without malice. In so doing, they will ignore social, political, and all other distinctions among the persons involved, strengthening the tradition of the reliability and integrity of an officer's word.
- b. Law enforcement officers shall make a concerted effort to increase perception and skill of observations, mindful that in many situations theirs is the sole impartial testimony to the facts of a case.

12. ATTITUDE TOWARD PROFESSION

- a. Law enforcement officers shall regard the discharge of their duties as a public trust and recognize their responsibilities as a public servant. By diligent study and sincere attention to self-improvement, they shall strive to make the best possible application of science to the solution of crime, and in the field of human relationships strive for effective leadership and public influence in matters affecting public safety. They shall appreciate the importance and responsibility of their office, and hold police work to be an honorable profession rendering valuable service to their community and country.

IV. FORMS

- [Deputy Sheriff Oath of Office, VSO Form # 121698.002](#)
- [Public Employee Oath, VSO Form # 121698.001](#)