

Administrative Order



Administrative Order No.: 7-13

Title: Employees Arrested on Charges Resulting from Performance on Job

Ordered: 5/15/1973

Effective: 6/15/1973

AUTHORITY:

Section 4.02 of the Metropolitan Dade County Charter. Section 2-42 (20) of the Metropolitan Dade County Code.

POLICY:

On occasion, County employees have been charged with criminal offenses as a direct result of their performance of assigned job duties. At times these charges have been ill-founded and therefore the employees have had to incur unjust personal expense. This resulted in a loss of performance effectiveness and a reduction in employee morale. It shall be the policy of the County, upon the recommendation of the employee's department head and approval by the County Manager, to request that the County Attorney provide such employees with legal assistance until a judicial determination of probable cause (usually made at a preliminary hearing).

PROCEDURE:

When an employee is charged with a criminal violation (other than for a traffic violation) resulting from the performance of his assigned job duties, he may request legal assistance from the County Attorney's Office through his department head. Upon receipt of such a request, the department head will immediately review the circumstances and make appropriate recommendations to the County Manager. The County Manager will review the information presented, advise the County Attorney's Office of the situation, and, if appropriate, request legal assistance.

The County Attorney's Office has agreed to consider whether it is appropriate to represent the accused employee through the preliminary hearing stage.

Department heads, in these types of cases, are authorized to appear on behalf of

employees before Committing Magistrates and offer to assure appearance in lieu of bond.

Civil suits against employees will continue to be defended at the discretion of the County Attorney's Office.

R. Ray Goode

County Manager