

RULES FOR OFFICE OF DISTRICT ATTORNEY

REGARDING INCOMPATIBLE ACTIVITIES

According to Government Code section 1126(a) all officers and employees of the District Attorney's Office are prohibited from engaging in any employment, activity, or enterprise for compensation which is inconsistent, incompatible, in conflict with, or inimical to the duties, functions, and responsibilities of the officer or employee, or the District Attorney's Office.

Pursuant to Government Code section 1126(b) each appointing authority of the County of San Diego is authorized to formulate rules specifying those activities, outside of County duties, of the employees under its jurisdiction, which are inconsistent with, incompatible to, or in conflict with their duties as County employees. In exercise of this authority, the District Attorney of San Diego County has determined that the outside activities set forth in these rules are inconsistent with, incompatible to, or in conflict with the duties, functions, and responsibilities of employees of this department and are therefore prohibited.

- I. Any outside employment, activity or enterprise for compensation which is inconsistent with, incompatible to, or conflict with the duties, functions, and responsibilities of the employee, the District Attorney's Office, the District Attorney, officers or other employees of the District Attorney's Office.

- II. Any activity which involves the use, for private gain or advantage, of county time, facilities, equipment or supplies.
- III. Any activity which involves the use, for private gain or advantage, of the badge, identification card, prestige or influence of the individual's County employment.
- IV. Any activity which involves the receipt or acceptance by the employee of money or other consideration from someone other than the County of San Diego for the performance of acts which the employee is expected to render in the regular course of his or her duties as a County employee.
- V. Any outside employment, activity, or enterprise in which a part of the employee's efforts therein may be subject directly or indirectly to the control, inspection, review, audit, or enforcement of another employee, officer, board or commission of the County of San Diego, except when specifically authorized by the District Attorney.
- VI. Any outside employment, activity, or enterprise for compensation which involves or includes any form of private security, private law enforcement, or private investigation.
- VII. Any activity which involves time demands which render the performance of the employee's County duties less efficient.

B. Service on Boards, Commissions, etc.

Pursuant to Government Code section 1128, service on an appointed or elected governmental board, commission, committee, or other body by an assistant or deputy district attorney shall not, by itself, be deemed to be inconsistent, incompatible, in conflict with, or inimical to the duties of that attorney as an assistant or deputy district attorney and shall not result in the automatic vacation of either such office.

C. Private Law Practice

Pursuant to Section 604 of Article VI of the San Diego County Charter, the District Attorney's deputies shall not engage in private law practice.

D. Disclosure of outside Activities

Pursuant to the last paragraph of Government Code section 1126 each appointing authority of the County of San Diego is authorized to adopt procedures governing the application of the incompatible activities rules. In exercise of this authority, the District Attorney of San Diego County has established the following disclosure requirements.

I. All employees of the District Attorney's Office must obtain prior approval from the District Attorney before accepting any outside employment, activity or enterprise for compensation.

a. Request for approval forms may be obtained from the Chief Investigator's Office. When completed, return for processing to the District Attorney.

II. All employees of the District Attorney's Office shall continue to twice annually report to the District Attorney the status of any outside employment, activity or enterprise.

(Form AUD 263).

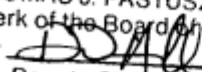
III. If any employee of the District Attorney's Office shall receive an assignment of County duties that relate to any organization, property, or activity in which the employee or any member of the employee's immediate family has an interest, the employee shall immediately disclose and report such interest in writing to the District Attorney.

E. Penalty for Violation

Participation in any prohibited activity by any officer or employee of the District Attorney's Office may be cause for disciplinary action, including dismissal, suspension, demotion, transfer or reprimand within the procedures set forth in the County Charter and the Rules of the Civil Service Commission.

Revised June 24, 1993


GREGORY THOMPSON
Assistant District Attorney

Approved and/or authorized by the Board
of Supervisors of the County of San Diego
Date: 11/10/98 Minute Order No. 42
THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors
By: 
Deputy Clerk

REQUEST FOR APPROVAL OF OUTSIDE
EMPLOYMENT, ACTIVITY OR ENTERPRISE

Employee's Name _____ Position _____
Division _____ Location _____ MS/Tele# _____
Name of Outside Employment _____
Address _____ Telephone _____
Nature of Outside Employment _____

Hours Per Day _____ Days Per Week _____
Starting Date _____ Termination Date, if any _____

The information concerning outside employment is true and complete to the best of my knowledge. I understand that untruthfulness or misleading answers may be cause for rejection of this application.

This outside employment, activity or enterprise will not interfere with my duties as an employee of the District Attorney's Office.

Date _____ Employee's Signature _____

Chief Investigator _____ Date _____ Approve _____ Disapprove _____

District Attorney _____ Date _____ Approve _____ Disapprove _____