

	CITY OF DECATUR PERSONNEL POLICY		
Chapter 05	Conduct		
Section 19	Arrests, Confinements, and Indictments		
Revised By:	Nate Mara, City Manager	Revised Date:	December 22, 2025
Approved By:	Nate Mara, City Manager	Effective Date:	January 1, 2026

05.19 - Arrests, Confinements, and Indictments

City employees are subject to disciplinary action and/or job restrictions for violations of law. This policy applies to acts prohibited by law that result in charges being filed, result in arrest, confinement, indictment, and/or conviction, as well as to acts prohibited by law not resulting in further criminal proceedings.

A. Employee Notice of Felony and Misdemeanor Charges:

1. Employees must immediately notify their supervisor and/or Department Director within twenty-four (24) hours if they are arrested, charged, indicted, convicted, receive deferred adjudication, or plead nolo contendere to any misdemeanor (other than a fine-only offense) or felony.
2. Employees who do not drive as a part of their job duties with the City are not required to report minor traffic violations.
3. Failure to report these events in a timely manner may result in immediate termination.

B. Employee Status after Alleged Violation of Law:

1. At the time the employee’s department is made aware of an employee's arrest or conduct constituting an offense, the Department Director shall consult with Human Resources to determine available options which may include, but are not limited to:
 - i. allowing the employee to return to regular duty with pay;
 - ii. allowing the employee to return to restricted duty with pay;
 - iii. placing the employee on paid administrative leave;
 - iv. placing the employee on unpaid administrative leave; or
 - v. Terminating the employee.

C. Employee Status after Adjudication:

1. Once the indictment or information is dismissed or fully adjudicated without trial, and if tried, until the trial and appeal (if any) are completed and all related administrative matters are completed, the Department Director will determine, in conjunction with Human Resources Director, the status of the employee.
2. An employee on administrative leave may, at the discretion of the City Manager or designee, be reinstated to the position held before being placed on administrative leave (if available), if the indictment or information is dismissed, the employee is acquitted, or the conviction is reversed on appeal.

D. Disciplinary Action

1. Disciplinary action may be pursued concurrently or in place of the above options or imposed at a later date.
2. Multiple violations of law or confinements within a prescribed time period may also result in disciplinary action.
3. Employees that fail to disclose criminal arrests or convictions, and/or fail to provide accurate details regarding criminal convictions, will be subject to corrective action up to and including termination.

E. Other Policies. This policy should not be construed to limit disciplinary action that may be taken in accordance with other personnel policies and procedures, department policies, or other city-wide policies.