

## **1.720 PUNITIVE DISCIPLINE (26.1.4.c)**

A. These directives implement the agency's practices as they relate to:

1. **The Law Enforcement Officers' Bill of Rights (LEOBR) Public Safety (PS) § 3-101 through § 3-113;**
2. USM VII-8.00 Policy on Grievances for Exempt and Nonexempt Staff Employees;
3. USM VII-8.10 Policy on Special Action Appeals for Classified Employees;
4. TU 07-08.05 Policy on Grievances for Regular Exempt Employees;
5. TU 07-08.10 Special Action Appeals for Regular Non-Exempt Employees; and
6. The Memorandum of Understanding (MOU) with FOP Lodge #82,

B. See also **1.422 Grievances**.

### **1.720.02 Punitive Discipline - Generally**

A. Officers may waive any or all of their LEOBR rights.

B. Employees will not:

1. Be pressured, coerced, threatened, or intimidated into waiving any or all administrative due process rights;
2. Deliberately or negligently engage in any activity that interferes with, hinders, or delays the initiation, documentation, or investigation of complaints; or
3. File false or frivolous complaints.

### **1.720.04 Receiving & Submitting Complaints (52.1.1, 52.1.4, 52.2.2, 52.2.4.a, 52.2.5)**

A. All complaints, including anonymous complaints, will be investigated. Employees receiving anonymous complaints will advise complainants of the complaint process and attempt to obtain their identities. Employees will obtain and submit as much information as possible if they are unsuccessful in obtaining complainants' identities.

B. All employees are authorized to initially receive complaints.

1. Complaint information is confidential. However, the confidential nature of these documents does not keep supervisors from conducting appropriate preliminary inquiries or requesting administrative reports be completed by employees to help the agency determine the best way to handle the matter.

2. Employees who receive complaints, but are not otherwise responsible for investigating complaints will not discuss complaints with personnel against whom complaints are made or anyone not initially authorized to have the information.

3. Employees who receive complaints will cooperate with investigators during the course of investigations.

C. It is preferred that **Confidential Statement of Incident / Employee Performance (UPO.022.D)** forms be used to record information pertaining to complaints against employees.

1. These forms, which are always available at Headquarters and on the agency's web site, contain instructions and procedures to be followed in submitting complaints.

2. Forms will be given to anyone on request, regardless if they are unwilling to speak with appropriate employees about the matters.

3. Although completed forms are preferable, any form of complaint documentation will be accepted.

4. Complainants should complete the forms. However, if complainants cannot or will not complete the forms, officers will obtain and submit as much information as possible.

D. Complaints may be submitted in person, by mail, e-mail, FAX, or telephone.

1. Handwritten complaints should be legible and written in ink.

2. Complainants' signatures are not required;

3. Additional sheets of paper may be used if required.

4. Employees receiving in-person or telephone complaints:

a. Will make reasonable and thorough efforts to identify complainants;

b. Advise complainants of complaint procedures; and

c. Obtain as much information as possible.

E. Citizens making complaints in person or by phone will be referred to a supervisor or commander who will attempt to completely understand the circumstances and resolve matters to the satisfaction of citizens.

1. Differences of opinion strictly over the legitimacy of enforcement actions, such as being issued traffic, criminal, civil, or parking citations, are not considered complaints within the scope of this directive.
  2. Citizens should be advised of the procedures to formally file complaints in the event that matters cannot be resolved.
- F. All complaints, be they filed by employees or citizens, will be documented and distributed appropriately.
1. Complaints will be copied.
    - a. Originals will be sealed in an envelope, marked "IA - Confidential" and submitted to the commander responsible for the internal affairs function, hereafter referred to as the IA commander; and
    - b. Copies will be sealed in an envelope marked "Confidential" and submitted directly to the respective employee's commander.
  2. Complaints against the IA commander will be sealed and submitted directly to the Chief.
  3. The IA commander will be notified without unnecessary delay when complaints are related to the use of force or criminal misconduct of employees.
    - a. The IA commander will be contacted directly during regular business hours.
    - b. During non-business hours, Communications will be directed to notify the IA commander to contact the interviewing officer. Information pertinent to the complaint will not be divulged to Communications personnel.

#### **1.720.06 Alternative Punitive Disciplinary Process (APDP)**

- A. The agency's APDP may be used when employees elect to forgo formal investigations and accept recommended punitive discipline in minor cases. In order to use the APDP the:
1. Allegations must be relatively minor, but serious enough for formal punitive disciplinary actions;
  2. Employees' commanders and the IA commander must agree to use the APDP and

3. Accused employees do not dispute allegations and agree to accept recommended sanctions.
- B. Agreed upon sanctions will be offered by employees' commanders or specifically designated superiors permanently ranked sergeant or above within the employees' command.
1. Respondent employees may have counsel present.
  2. APDP meetings are not interrogations covered by LEOBR.
- C. If employees agree to accept APDP sanctions, the IA commander is responsible for ensuring documentation is prepared containing:
1. Allegation specifications;
  2. Sanctions to be imposed;
  3. Explanations that:
    - a. Accepted sanctions apply only to those specifications contained therein;
    - b. Additional investigations and sanctions may result if other allegations or information comes to light; and
    - c. Employees may be questioned at later dates to supply information pertaining to the involvement of others in related allegations.
- D. If employees do not agree to accept APDP sanctions, the allegations will be handled consistent with their corresponding administrative due process coverages.

#### **1.720.08 Roles & Authority**

(26.1.5, 52.2.1, 52.2.2, 52.2.7)

- A. The Chief is ultimately responsible for the administration of punitive discipline, but has delegated certain authority to others.
- B. The accompanying chart is intended to describe some, but not all roles and authority of the listed employee designations.
1. Each employee is also assigned the authority of all subordinate employee designations.
  2. Some of these roles and authority are more fully explained elsewhere in this directive.

**Chief**

- Can place an employee on emergency suspension with or without pay depending on the allegation.
- Can reassign an officer to administrative duties with or without police powers.
- Will appoint a suspension hearing officer for any officer placed on emergency suspension.
- Will appoint a hearing board to adjudicate charges against an officer when requested by the officer.
- Will issue a written, final endorsement for every punitive disciplinary action.

**Commander: Responsible for the Internal Affairs Function**

- Can place an employee on emergency suspension with or without pay when acting as the Chief's designee. Requires immediate written notification to the employee.
- Can reassign an officer to administrative duties with or without police powers.
- Can impose or authorize summary punishment.
- Completes final endorsement (conclusion of fact) for employees within the command.
- May recommend and administer approved punitive discipline for the command.
- Assigns investigations to the command or departmental level.
- Reviews all complaints and IA investigation reports.
- Reviews all punitive discipline recommendations with respondent employees' commanders.
- Ensures written notifications are made to complainants and respondents.
- Briefs the Chief and others as necessary not later than the first business day after complaints are filed.

**Commander: Captain or Lieutenant**

- Can place an employee on emergency suspension with or without pay when acting as the Chief's designee. Requires immediate written notification to the employee.
- Can reassign an officer to administrative duties.
- Completes final endorsement (conclusion of fact) for employees within the command.
- Conducts and documents IA investigations as assigned. Identifies any violations.
- May recommend and administer approved punitive discipline for their subordinates.

**Supervisor: Sergeant or Officer Acting as OIC**

- Receives and documents complaints against employees.
- Can place an employee on emergency suspension with pay when acting as the designee of the Chief or a commander. Requires immediate written notification to the employee.
- Conducts and documents IA investigations as assigned. Identifies any violations.
- May recommend punitive discipline for their subordinates.

**Supervisor: Non-Sworn Unit Supervisor**

- Receives and documents complaints against assigned NON-SWORN staff.
- Investigates and documents complaints against assigned NON-SWORN staff. Identifies violations.
- May recommend punitive discipline for their subordinates.
- Implements approved punitive discipline.

**Any Employee**

- Initial point of contact with complainant.
- Ensures complainant is advised of the complaint process.
- Ensures complainant is referred to supervisor or commander.
- Obtains as much information as possible and submits complaint forms.

## 1.720.10 Internal Investigations –

### Generally

{Revised: 06/18/14}

(26.1.8, 52.1.2, 52.1.3, 52.1.5, 52.2.1, 52.2.2,  
52.2.3, 52.2.4, 52.2.5, 52.2.6, 52.2.8)

- A. The IA commander reports directly to the Chief for IA matters and has related duties that include, but are not limited to:
1. Recording, registering, coordinating, controlling, and supervising the conduct of all internal investigations;
  2. Ensuring IA records are securely and confidentially maintained in a centralized record keeping system;
  3. Personally briefing the Chief and others as necessary about complaints no later than the first business day after complaints are filed;
  4. In consultation with respondent employees' commanders, assigning complaint investigations to the unit or departmental level;
    - a. Unit level investigations usually involve minor allegations against employees assigned to a single unit. These investigations will usually be assigned to the supervisors of respondent employees, but may also be assigned to the Professional Standards Officer.
    - b. Departmental level investigations usually involve allegations against supervisors, commanders, or major allegations against any agency personnel. These investigations will be assigned to the IA commander, another commander, or the Professional Standards Officer as authorized by the Chief.
  5. Serving as liaison with the Office of the State's Attorney (OSA) for cases with criminal investigation implications;
  6. Ensuring written notifications are made to complainants and respondents.
    - a. KNOWN COMPLAINANTS WILL RECEIVE AT LEAST VERIFICATION THAT COMPLAINTS HAVE BEEN RECEIVED, ANY APPROPRIATE INVESTIGATION STATUS UPDATES, AND NOTIFICATION THAT INVESTIGATIONS HAVE BEEN CONCLUDED.
- b. Notifications to respondent employees contain statements of allegations and their rights and responsibilities relative to investigations.
7. Reviewing internal investigation reports and determining if investigative findings are supported by the reports;
8. Informing appropriate legal counsel if:
  - a. There are any testimonial or evidentiary implications consistent with **Giglio v. US - 405 US 150 (1972)**; or
  - b. Complainants or their counsel attempt to use the complaint process as plea bargaining leverage or for the filing of civil actions against the agency, the university, or the state;
9. Ensuring an annual statistical summary based on internal investigations is compiled, documented and submitted to the chief for dissemination to the agency and the public;
- B. Employees assigned to conduct internal investigations will:
1. Conduct thorough investigations consistent with LEOBR, USM directives, and the agency's Internal Affairs SOP as applicable;
  2. Attempt to complete internal investigations within 90 days after investigations are assigned.
    - a. Extensions beyond 90 days may be approved by the IA Commander.
    - b. Investigators will update the IA Commander through the chain of command when investigations extend beyond 90 days or at the IA Commander's request;
  3. Provide complainants with periodic status reports providing the notifications do not compromise investigation integrity. The degree of update specificity is left to investigator discretion, subject to the IA commander's approval; and
  4. Submit completed investigative reports as directed. Investigative reports will include:
    - a. Pertinent statements or summaries of statements from all concerned parties;
    - b. Summaries of incidents being investigated;

- c. Accountings of related evidence;
  - d. Findings as to the legitimacy of allegations; and
  - e. Investigative findings and recommendations.
- C. Consistent with LEOBR, officers may be ordered to:
1. Disclose certain property and/or fiscal information (**PS § 3-103(c)**);
  2. Submit to blood alcohol tests, blood, breath, or urine tests for controlled dangerous substances, polygraph examinations, or interrogations that specifically relate to the subject matter of the investigation (**PS § 3-104**); and
  3. Submit to polygraph examinations with the results not being used as evidence in administrative hearings unless the agency and the officers agree to the admission of the results (**PS § 3-104(m)**). Polygraph examinations are the only truth verification examinations that are permitted under **PS § 3-104(m)**.
- D. Any employee may be required to be photographed, participate in line-ups, submit to medical or laboratory examinations, or submit financial disclosure statements pursuant to applicable statutory or procedural requirements during the course of internal investigations.
- E. Employees may be prohibited from wearing or possessing weapons during interviews for administrative or criminal violations. Investigators should notify employees in advance of this condition. This restriction does not apply to officers conducting these interviews.
- F. Interviews and interrogations will be conducted and documented as appropriate by investigators and consistent with:
1. LEOBR for police officers;
  2. The “*Garrity*” and “*Miranda*” decisions for all employees.
- G. For cases with uncooperative complainants or witnesses, investigators will:
1. Set reasonable deadlines for complainants or witnesses to cooperate with investigations;
  2. Make reasonable attempts to contact complainants and witnesses personally and/ or by certified, return receipt letters that contain deadlines for cooperation; and
3. Recommend that cases be administratively closed if investigations cannot be completed because of uncooperative complainants or witnesses.
- H. When investigations are completed, investigating officers will report on and classify all allegations as:
1. **Sustained:** Evidence sufficient to prove allegations;
  2. **Not Sustained:** Insufficient evidence to either prove or disprove allegations;
  3. **Exonerated:** Incident did occur, but was not in violation of directives;
  4. **Unfounded:** Allegation was false, not factual, or accused employee was not involved in the incident; or
  5. **Administratively Closed:**
    - a. Complaints concerned matters of law or departmental policy and did not concern the employee’s actions;
    - b. Complainants do not want formal actions taken or pursued and no other investigative leads are available;
    - c. Expiration of prosecution statutory limits;
    - d. Agency’s legal counsel declines to prosecute; or
    - e. Incidents did occur and employees’ performance was consistent with agency directives, but the directives need to be revised, changed, or corrected.
- I. The IA commander will, in consultation with appropriate commanders or supervisors and based on investigation outcomes and allegation classifications, make recommendations whether or not to impose punitive discipline, and/or modify agency directives, training, equipment, or business practices. See also **1.720.50 Disciplinary Action Recommendation Guide**.
- J. People who knowingly make false statements, reports, or complaints in the course of LEOBR proceedings are subject to the same penalties as provided in **CR § 9-501 False Statement to Law Enforcement Officer**.

### 1.720.12 Emergency Suspensions

(26.1.5, 52.2.7)

- A. Any employee may be suspended on an emergency basis when it appears the action is in the best interest of the employee, agency, university, or public.
  - 1. Emergency suspensions of police officers will be with pay unless they are charged with felonies.
  - 2. Emergency suspensions of non-sworn employees will be with pay unless otherwise authorized by the Chief.
- B. Officers holding the rank of sergeant or above, or who are serving in a patrol OIC capacity are authorized to initiate emergency suspensions with pay upon consultation with a commander.
- C. Officers initiating suspensions will, upon consultation with a commander, order respondent officers to be placed on emergency administrative leave with pay with their police powers suspended.
- D. The need for emergency suspensions with pay will be determined by weighing the gravity of allegations against the effect on employees' continued duty status pending investigations.

### 1.720.14 Emergency Suspension & Hearing Procedures – LEOBR (26.1.5, 52.2.7)

- A. Officers carrying out emergency suspensions will:
  - 1. Contact and inform the IA commander of suspensions and obtain names of suspension hearing officers;
  - 2. Take possession of suspended officer's issued firearms, badges, ID cards, and MPTC certification cards if police powers are to be suspended;
  - 3. Complete reports with all relevant facts and documents supporting the suspensions; and
  - 4. Provide suspended officers and their unit supervisors with correspondence containing:
    - a. Reasons for suspensions;
    - b. Dates and times of suspension hearings; and
    - c. Notifications that suspension hearings will be held promptly.

- B. Suspension hearings will be conducted consistent with LEOBR and, when practical, on the first business day following emergency suspensions.
- C. Suspension hearings will be audio recorded with recordings being forwarded to the IA commander.
- D. Suspended officers need not be present, but may attend and present testimony on their behalf.
- E. Hearing officers:
  - 1. Will be a commander appointed by the Chief;
  - 2. May request university legal staff, or the Office of the Attorney General (OAG) to be present or provide assistance;
  - 3. Will exclude the public and the news media from hearings unless called to testify;
  - 4. Will determine whether continued suspensions are in the best interest of the public or the agency;
  - 5. Will determine and order:
    - a. Officers to return to full duty;
    - b. Officers to retain their police powers, but reassigned to other duties pending disposition of related administrative and / or criminal matters;
    - c. Officers to remain on administrative suspension with police powers suspended and with or without pay.
      - (1) A felony charge may result in an officer being suspended without pay.
      - (2) Allegations that constitute administrative violations or misdemeanor criminal charges may result in suspensions continuing with pay;
  - 6. Will inform officers of their decisions and promptly submit written reports to the Chief with copies to:
    - a. The IA commander;
    - b. Respondent officers; and
    - c. Respondent officers' commanders.
- F. The Chief will review suspension hearing recommendations and render written final decisions with copies to:
  - 1. The IA commander;
  - 2. Respondent officers; and
  - 3. Respondent officers' commanders.

- G. Suspended officers will not access agency facilities that are restricted to the public unless their activities are authorized by a commander and are continuously escorted by employees designated by a commander.
- H. Officers suspended without pay may seek other employment.

**1.720.16 Employee Status During Investigations** (1.3.8, 52.2.7)

- A. Any employee whose actions or use of force in an official capacity causes death or serious physical injuries to others, will be removed from line-duty assignments pending administrative reviews to determine if they are to be placed on suspension, on paid administrative leave, in administrative assignments, or returned to full-duty status.
- B. Reviews will be consistent with:
  - 1. For police officers: **Emergency Suspension & Hearing Procedures – LEOBR**;
  - 2. For non-sworn employees: **TU 07-08.10 – Special Action Appeals for Regular Non-Exempt Employees**; or **TU 07-08.05 – Policy on Grievances for Regular Exempt Employees**.
- C. Officers may be placed on paid, administrative leave when:
  - 1. Their actions result in deaths or serious injuries;
  - 2. Preliminary investigations reveal significant possibilities of serious misconduct by employees; or
  - 3. It is in the best interest of the public, officers, or the agency.
- D. Employees may be assigned to administrative duties as alternatives to suspensions thereby enabling them to work while awaiting investigation or disciplinary dispositions. Officers working in administrative assignments may or may not retain police powers and will, unless otherwise ordered:
  - 1. Attend job related training;
  - 2. Attend court; and
  - 3. Take police actions in emergency circumstances if still retaining police powers.

**1.720.18 Investigation of Serious Injury or Death Inflicted by Employees** (1.3.8)

- A. On-duty patrol supervisors will ensure the IA commander and the investigations commander are notified whenever persons are seriously injured or die as the result of injuries sustained during incidents involving agency employees.
- B. Unless otherwise controlled by a Memorandum of Understanding, this agency's criminal investigations component, in consultation with the IA commander, will assume initial responsibilities for investigating those incidents occurring within this agency's primary jurisdiction.
- C. The IA commander will respond to those locations and establish liaison with allied agencies when:
  - 1. Incidents occur outside this agency's jurisdiction that involve criminal allegations against agency employees; or
  - 2. Persons are seriously injured or die as the result of injuries sustained during incidents involving agency employees.

**1.720.20 Hearing Boards**

- A. For sustained disciplinary violations, the IA commander will inform respondent officers in writing of the:
  - 1. Specific charges;
  - 2. Proposed sanctions; and
  - 3. Right to hearing boards as afforded by LEOBR.
- B. Hearing boards will be conducted consistent with LEOBR in those cases where respondent officers do not accept sanctions.
- C. Summonses for employees to appear before hearing boards are orders. Unexcused failure to appear as summonsed is insubordination.

**1.720.22 Findings** (26.1.6, 26.1.7, 52.2.4.c)

- A. If trial boards issue findings of guilt:
  - 1. The Chief will render a final order consistent with LEOBR;
  - 2. Final orders will be personally delivered by the Chief or designee or sent by certified mail, return receipt requested to respondents and any counsel of record;
  - 3. Complaint records will remain in the IA active files; and

4. Materials will be placed in respondent officers' personnel files consistent with LEOBR.
- B. The Chief will ensure disposition notification letters are sent to complainants and respondents.
- C. If the Chief orders employees' terminations, final orders must be in writing and sent by the Office of Human Resources. The Chief is responsible for ensuring termination letters contain:
  1. Statements citing reasons for termination;
  2. Effective dates of terminations; and
  3. Status of fringe and retirement benefits after terminations.
- D. Respondent officers may appeal LEOBR decisions to the circuit court for the county consistent with **Maryland Rule 7-202**. Non-sworn employees may appeal punitive disciplinary actions consistent with **1.422 Grievances**.

#### **1.720.24 Record Maintenance** (26.1.8, 52.1.2)

- A. The IA commander will ensure that all records of internal investigations are confidentially maintained in secure areas and/or computer applications.
- B. Memorandums and other related material pertaining to punishment outcomes will be permanently placed in respondent officers' personnel files as permitted by LEOBR.
- C. IA records will not be released or disclosed except to:
  1. Comply with court orders;
  2. Assist background investigators who present properly executed information releases;
  3. Attorneys representing client officers to whom specified records apply in accordance with LEOBR;
  4. Attorneys representing the agency, the university, or the state in relevant cases.

#### **1.720.26 Expungements**

- A. Record expungements for officers will be consistent with LEOBR and the MOU with FOP #82.

- B. Expungement requests will be forwarded to the IA commander with a copy to the Chief.
- C. The IA commander will review all related reports, documents, files, and records and will conduct expungements:
  1. By shredding or burning all printed files, records, and documents that make reference to expunged cases;
  2. By degaussing magnetic media containing files, records, and documents that make reference to expunged cases;
  3. In cases of multiple employees with multiple findings, obliterating references to respondent employees in case files, records, and documents; and
  4. Retain records listing only:
    - a. IA case numbers;
    - b. Dates complaints were filed;
    - c. Investigation findings;
    - d. Dates of findings; and
    - e. Dates of expungements.

#### **1.720.28 Reciprocal Reporting of Police Misconduct**

- A. Officers will ensure notifications are made and reports prepared when they respond to specified incidents involving law enforcement officers from other agencies. Incidents that require mandatory notifications and reports are:
  1. Service of interim, temporary, or permanent peace orders, *ex parte* orders, or protective orders when law enforcement officers are respondents;
  2. Enforcement of peace order, *ex parte* order, or protective order terms where enforcement officers are respondents;
  3. Arrests of law enforcement officers for criminal or motor vehicle violations;
  4. The service of criminal summonses to law enforcement officers; and
  5. The charging of law enforcement officers by criminal or civil citations.
- B. Officers will report these incidents to their superiors, who are then responsible for notifying respondent / suspect officers' home jurisdictions. Notifications will be made:
  1. By calling the communications unit / function and requesting to be placed in contact with an on-duty police supervisor; and

- Not later than the end of shifts wherein incidents occurred.

**1.720.50 Disciplinary Action**

**Recommendation Guide (26.1.4.c)**

- A. The Disciplinary Action Recommendation Guide is used to promote uniformity in the imposition of disciplinary actions.
- The agency should adhere to the actions listed for each offense unless there are articulable aggravating, mitigating, etc., factors necessitating more lenient or severe punitive discipline.
  - Disciplinary recommendations will be made by the respondent's commander in consultation with the IA commander.
  - Recommendations do not change the authority of the Chief as granted by LEOBR.

- B. The agency will not focus on single factors when assessing punitive discipline, but will consider other influential factors that may raise or lower original categories to other levels. These factors include, but are not limited to:
- Type of incident;
  - Injury severity;
  - Amount of damage;
  - Intent;
  - Employee record and performance level;
  - Mitigating and/or aggravating factors;
  - Motives of employees;
  - Degrees of culpability;
  - Truthfulness;
  - Disciplinary records;
  - Admissions of error/mistake by employees; and
  - Other factors rising from cases.
- C. Recommendations for violations not listed in the guide will be based on comparisons with listed violations.

Category A	Category B	Category C	Category D	Category E
Verbal or Written Reprimand <b>OR</b> Training, POR, Mediation, Restitution, Employee Assistance, Psych. Services, etc.	Written Reprimand <b>AND</b> 1 Day Maximum: Loss of Leave or Suspension <b>OR</b> \$50 Maximum Fine	Written Reprimand <b>AND</b> 3 Day Maximum: Loss of Leave or Suspension <b>OR</b> \$150 Maximum Fine	Written Reprimand <b>AND</b> 4 – 15 Days: Loss of Leave or Suspension / Transfer	Written Reprimand <b>AND</b> 15 Days or More Suspension and/or Demotion <b>OR</b> Termination
Third "A" in 12 months = "B"	Same or similar "B" in 12 months = "C" Third separate "B" in 36 months = "C"	Same or similar "C" in 60 months = "D"	Same or similar "D" = "E"	Subsequent "E" = Termination

VIOLATION	A	B	C	D	E
<b>ACCIDENTS (Departmental)</b>					
Failure to report accident					X
Fatality				X	
Personal injury			X		
Property damage	X				
<b>COMPLAINTS</b>					
Improper reporting or processing of complaint		X			
Interfering, hindering, etc investigation of complaint					X
<b>CONDUCT</b>					
AWOL (Absent Without Leave)		X			
Address/Telephone Number: Failure to advise of new	X				
Alcohol - Under influence, Impaired, Consuming on-duty					X
Associations - With persons of questionable character		X			
Conduct Unbecoming		X			

Discourtesy, obscene language, gestures, inappropriate comments, etc.	X				
Discourtesy, etc. – Hate / Bias Motivation					X
Discrimination & Harassment: Failure to report; Failure for respondent to cooperate with investigations					X
Discrimination & Harassment: Racial, religious, ethnic, sexual, sexual orientation, gender, age, disability, etc.					X
Discrimination & Harassment: Retaliation against complainant, witness, etc.					X
Failure to appear or report for court, hearing, assignment, etc.		X			
Failure to assist or back-up other employee			X		
Failure to furnish name & ID#		X			
Neglect of Duty / Failure to Act		X			
Off-post or leaving assignment w/o permission	X				
Orders - Failure to comply	X				
Orders – Insubordination			X		
Sick leave abuse		X			
Sleeping on duty		X			
Tardiness: Lack of punctuality	X				
Truthfulness: False statement, report, etc					X
Truthfulness: Misrepresentation of fact			X		
Uniform / Grooming violations	X				
Using official position for personal / financial gain			X		X
<b>FORCE</b>					
Unnecessary force			X		
Excessive force				X	
Brutal force					X
<b>INVESTIGATIONS</b>					
Compromising / hindering an investigation					X
Dissemination of information to unauthorized persons - unlawful			X		
Failure to conduct thorough preliminary or follow-up		X			
Improper dissemination of investigative information			X		
Improper interview or interrogation			X		
Improper search, seizure, entry			X		
<b>LAW VIOLATIONS</b>					
All criminal violations & attempts subject to prosecution by OSA					X
Alcohol or CDS related offense					X
Flagrant traffic violation			X		
Knowingly driving while license is suspended or revoked					X
Minor motor vehicle violation	X				
<b>MISCELLANEOUS</b>					
MILES, NCIC, etc.: Unauthorized use / dissemination			X		
Medication: Failure to report taking medication that may effect Performance		X			
Pursuit: Failure to report motor vehicle pursuit			X		
Radio: Failure to maintain contact	X				
Radio: Unnecessary use of radio	X				
Ride along: Unauthorized or violation of procedures	X				
<b>POLICE ACTION</b>					
Inaccurate charging documents or testimony (not perjury)			X		
Failure to make arrest / issue citation / place charges			X		
Failure to take necessary police action		X			
Failure to take necessary supervisory or administrative action			X		
Police action lacking PC – willful			X		
<b>PRISONER RELATED</b>					
Allowing escape				X	
Failure to arrange necessary medical treatment			X		
Failure to search incident to arrest			X		

Improper Transportation	X				
Incomplete / improper search		X			
Personal property control / documentation		X			
Restraint violations	X				
Screening & observation		X			
<b>PROPERTY, EVIDENCE, EQUIPMENT</b>					
Damage to / loss of agency property		X			
Failure to document, submit, store, or release property / evidence		X			
Failure to secure, process, or send evidence for analysis		X			
Unauthorized / improper use of agency equipment		X			
Use of unauthorized equipment		X			
<b>REPORTS</b>					
Failure to submit required		X			
Inaccurate		X			
Submitting late	X				
<b>SECONDARY EMPLOYMENT</b>					
Engaged in secondary employment while on sick leave			X		
Unauthorized or expired permission		X			
Use of agency property or equipment		X			
Violation of restrictions		X			
<b>WEAPONS</b>					
Careless handling resulting in discharge		X			
Carrying unauthorized weapon or ammunition			X		
Discharge contrary to directives					X
Failure to secure – no injury			X		
Failure to secure – resulting in injury					X
Failure to properly maintain	X				
Unreported discharge					X

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