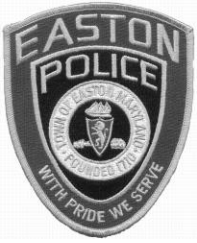


**EASTON POLICE DEPARTMENT
ADMINISTRATIVE ORDER
CHAPTER 5: COUNSELING AND DISCIPLINE**

	Title: Disciplinary Matrix		Number: 05-14
	Effective: December 29, 2011	Revised: Oct. 1, 2016	General Order #16-008
	<input type="checkbox"/> New <input checked="" type="checkbox"/> Amends	Notes: Replaces Administrative Manual Chapter 5-14 (12-11)	
Authority: _____ <div style="text-align: center;">Chief of Police</div>			Total Pages: 16

5-14.0 PURPOSE

The purpose of this General Order is to establish a matrix, applicable to all members for addressing disciplinary action for members accused of violations of the Department’s Rules, Regulations, Policies or Procedures to ensure that similar violations receive similar penalties.

5-14.1 DEFINITIONS/ABBREVIATIONS

IA	Internal Affairs
LEOBR	Law Enforcement Officers’ Bill of Rights

5-14.2 FORMS

Form 14	Record of Employee Conference
Form 46	Job Observation Record

5-14.3 POLICY

1. The purpose of discipline is to correct inappropriate behavior. It is the policy of this Department to be fundamentally fair and consistent in the application of discipline.
2. The Disciplinary Matrix ensures that similar violations receive similar penalties.
3. The matrix in this chapter includes, but is not limited to all possible charges which may arise out of violations of any EPD rules, regulations or orders.
4. The disciplinary matrix is divided into categories of infractions of the rules and regulations based on progressive degrees of severity. Category “A” articulates the lowest level of infraction and will first be addressed as non-disciplinary performance issues. Repeated infractions of any category may move an infraction to the next level. Infractions of Category “B” or higher will be disciplinary matters subject to formal disciplinary penalties as outlined below and in accordance with the LEOBR.
5. The matrix is a guideline that may be deviated from under appropriate circumstances.

5-14.4 DISCIPLINARY ASSESSMENT CRITERIA (SEVEN POINTS OF LIGHT)

1. When assessing discipline, commanders will not focus on a single factor, but should consider other influential factors that may raise or lower the original category listed in the matrix to another level.
2. Commanders will use the following criteria in making a recommendation for disciplinary action:
 - a. Biographical information:
 - 1) Accused member's name, identification number and IA control number.
 - 2) Rank, level of responsibility and assignment.
 - 3) Years of service and length of current assignment.
 - b. Type of incident, injury severity and amount of damage.
 - c. Intent/motive:
 - 1) Accidental or intentional act.
 - 2) Other mitigating and/or aggravating factors.
 - d. Reaction of the accused member (e.g., admission of error, feelings of guilt or remorse, level of cooperation, truthfulness, recognition of seriousness of act, etc.).
 - e. Impact on the department (e.g., values, morale, public image, credibility, monetary or other cost, etc.).
 - f. Employment history:
 - 1) As reflected in the two most recent performance evaluations.
 - 2) Review of the "Employee Disciplinary Action Record."
 - g. Additional information that the accused member's supervisor feels is pertinent to the issue and recommended disciplinary action.

5-14.5 ADMINISTRATIVE REVIEW

1. Division Commanders:
 - a. Will promptly review all complaints sent to them and initiate the appropriate action.
 - b. Will document any complaint resolved at the command level without the initiation of formal discipline.
 - c. Recommend discipline for sustained allegations.
 - d. May consider mitigating/aggravating circumstances in assessing a penalty range. All considerations to move the recommended discipline above or below the prescribed penalty range must be factually identifiable, in a written format.
2. Deputy Chief of Police:
 - a. Will assign an investigator to a complaint or refer the matter to a member's commander for review and the appropriate action. Matters referred to the commander may be handled outside the application of L.E.O.B.R.
 - b. Confers with commanders regarding the appropriate violation category.

5-14.6 CATEGORY "A" VIOLATIONS

1. Category "A" - Minor rules violations:
 - a. Verbal Counseling, recorded on a Form 46, Job Observation Record.
 - b. Formal Counseling, Form 14, Record of Employee Conference.
 - c. Training and/or education.
2. Same or similar misconduct within 12 months enhances next violation to Category "B."
3. Combination of any three Category "A" violations within 36 months enhances the third violation to Category "B."

5-14.7 CATEGORY “B” VIOLATIONS

1. Category “B” - Minor misconduct violations:
 - a. Written reprimand, or
 - b. One day loss of leave/suspension, or
 - c. \$100.00 fine.
2. Enhanced violation from Category “A.”
3. Same or similar misconduct within 12 months enhances next violation to Category “C.”
4. Combination of any three Category “B” violations within 36 months enhances the third violation to Category “C.”

5-14.8 CATEGORY “C” VIOLATIONS

1. Category “C” – Misconduct violations:
 - a. Loss of leave/suspension for 2 to 3 days, or
 - b. Transfer/reassignment and/or
 - c. Fine of \$100.00 to \$150.00.
2. Enhanced violation from Category “B.”
3. Same or similar misconduct within 36 months enhances next violation to Category “D.”
4. Combination of any three Category “C” violations within 36 months enhances the third violation to Category “D.”

5-14.9 CATEGORY “D” VIOLATIONS

1. Category “D” - Misconduct violations:
 - a. Loss of leave/suspension for 4 to 15 days and/or
 - b. Transfer/reassignment and/or
 - c. Ineligible for promotion for twelve months from date of findings, and/or
 - d. A fine of \$200.00 to \$250.00.
2. Enhanced violation from Category “C.”
3. Same or similar misconduct within 60 months enhances next violation to Category “E.”
4. Combination of any three Category “D” violations within 60 months enhances the third violation to Category “E.”

5-14.10 CATEGORY “E” VIOLATIONS

1. Category “E” - Serious Misconduct violations:
 - a. Over 15 day’s loss of leave/suspension and/or
 - b. Transfer/reassignment, and/or
 - c. Demotion, and/or
 - d. Ineligible for promotion for 24 months from date of findings and/or
 - e. A fine of \$500.00, or
 - f. Termination of employment.
2. Enhanced violation from Category “D.”
3. Same or similar misconduct within 24 months will be cause for dismissal.
4. Combination of any two sustained Category “E” violations resulting from one incident will be cause for dismissal.

5-14.101 PROMOTION INELIGIBILITY

Individuals receiving punishments under Categories D and E making them ineligible for promotion may participate in a promotional testing cycle that coincides with their period of ineligibility.

5-14.12 VIOLATIONS NOT REFERENCED IN MATRIX

Violation of any other rule, regulation, policy or procedure not referenced in the matrix will be evaluated and recommendation for disciplinary action will be based on the Disciplinary Assessment Criteria found in Administrative Order 5-14.4.

5-14.13 DISCIPLINARY MATRIX

See attached chart.