



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



220.05 DISCIPLINARY ACTIONS

01-15-16

PURPOSE

The purpose of this order is to establish uniform procedures when corrective or disciplinary action is required for departmental employees.

POLICY

It shall be the policy of the Sacramento Police Department to resolve all disciplinary matters in accordance with Civil Service Board Rules (CSBR), Departmental General Orders, Internal Investigations Manual (RM 220.01), and applicable labor agreements.

PROCEDURE

A. DEFINITION

1. **INFORMAL DISCIPLINARY ACTION** - Any corrective measure achieved through a documented counseling, and/or retraining.
2. **FORMAL DISCIPLINARY ACTION** - Any corrective measure taken or achieved through written reprimand, suspension, demotion, withholding in-grade salary increase, in-grade salary reduction, or termination.

B. GENERAL

1. Employees who violate their oath by committing an offense punishable under the laws or statutes of the United States, the State of California, the ordinances of the City of Sacramento; who violate any provisions of the written orders of the Department, or any lawful verbal order, or who are incompetent (as defined by CSBR 12.2b) in the performance of their duties shall be subject to appropriate disciplinary action and may be placed on administrative leave.
2. Subject to the provisions of the Charter of the City of Sacramento, the CSBR, applicable labor agreements, and when necessary, the approval of the City Manager or designee, the following may be imposed on any departmental employee as formal or informal disciplinary action:
 - a. Documented counseling
 - b. Letter of reprimand
 - c. Suspension
 - d. Withholding in-grade salary increase
 - e. In-grade salary reduction
 - f. Demotion
 - g. Termination
3. The employee's division commander/manager shall assume the responsibility for reviewing all information and supporting data gathered during an internal investigation prior to recommending a disposition. The departmental authority and responsibility for administering the final disposition shall rest with the Chief of Police (COP).
4. The Department shall address disciplinary issues in accordance with the CSBR, the General Orders, Internal Investigations Manual (RM 220.01) and/or applicable labor agreements.
5. When disciplinary action is taken or recommended, and documentation is made in the employee's department personnel file, such action shall be in accordance with State and Federal Law, the City of Sacramento Labor Relations Discipline Guidelines, CSBR, Internal Investigations Manual (RM 220.01), applicable labor agreements, and the Peace Officer's Bill of Rights.
6. Evaluations, counseling sessions, warnings, and reprimands shall be discussed with the employee in private.
7. Employees shall notify their immediate supervisor or a higher authority as soon as possible when they have been arrested or become aware that they are the subject of a criminal investigation by any law enforcement agency, including the Sacramento Police Department.



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



8. Employees observing or being informed of misconduct or possible criminal activity by other employees shall take immediate necessary action, and immediately notify a supervisor.
9. Employees shall complete a report of the incident(s) and their action(s) (if required). Reports or information shall be forwarded to the office chief or their designee, who shall evaluate the information and take appropriate action.

C. INFORMAL DISCIPLINARY ACTION

1. A supervisor may issue a documented counseling when correcting an employee's behavior. The supervisor shall consider the severity of the behavior when deciding to take this action.
 - a. In a counseling session, employees shall be encouraged to discuss the situation and respond freely.
 - b. Employees should leave the counseling session with a feeling that they have been dealt with fairly but with a firm understanding that they shall modify their behavior to conform to departmental standards.
2. Supervisors observing unacceptable behavior by an employee in their command shall order the employee to cease and desist the behavior immediately, and take appropriate action to correct the employee's behavior. The supervisor shall clearly explain in detail how the employee is deviating from the expected behavior.
3. Supervisors observing unacceptable behavior by an employee not in their command shall order the employee to cease and desist the behavior immediately, take appropriate action to correct the employee's behavior, and contact the employee's direct supervisor as soon as possible to relate/document the facts of the incident.

D. FORMAL DISCIPLINARY ACTION

1. Formal disciplinary action shall be administered pursuant to the Internal Investigations Manual RM 220.01, CSBR and the City of Sacramento Labor Relations Discipline Guidelines. Employees have fifteen (15) calendar days to appeal all formal discipline except a written reprimand. All appeals shall be made to the Secretary of the Civil Service Board.
2. Letters of Reprimand:
 - a. shall be reviewed and signed by the employee's division commander/manager or their designee.
 - b. shall be reviewed and approved by the COP or their designee via the Citizen Complaint Form (SPD 332).
 - c. shall be reviewed by the Labor Relations Director or their designee.
 - d. may be appealed by the employee to the Labor Relations Director or their designee within seven (7) calendar days of receiving the letter.
3. Suspension, Withholding Step Increase or Reduction in Salary:
 - a. A letter of discipline imposing a pay reduction, suspension, withholding of step increase, and/or reduction in salary, shall be signed by the employee's division commander/manager or office chief and requires the approval signature of the COP.
 - b. A letter of discipline imposing a pay reduction and/or a suspension of thirty (30) hours or more shall be signed by the employee's office chief and requires the approval signature of the COP and Labor Relations Manager.
4. Termination/Demotion:
 - a. Disciplinary action resulting in termination/demotion shall be administered through the Office of the Chief.
 - b. All terminations/demotions of sworn peace officers shall be signed by the office chief and require the approval signature of the COP and the City Manager or designee.
 - c. All terminations/demotions of civilian employees shall be signed by the office chief and require the approval signature of the COP and the Labor Relations Director or designee.



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



E. ADMINISTRATIVE LEAVE

1. Any supervisor with the concurrence of at least the employee's division commander/manager shall have the authority to place an employee on administrative leave.
 - a. The supervisor shall inform the on-call Internal Affairs Division (IAD) supervisor of the administrative leave.
2. Employees placed on administrative leave shall contact IAD at 0800 hours on the next regularly scheduled business work day (Monday-Friday) or as directed by IAD.
3. Any employee placed on administrative leave pending an investigation shall turn over all City-issued equipment as defined in the Administrative Leave Confiscation of City Property Form (SPD 334) to IAD. IAD shall ensure that the Evidence and Property Section receives applicable City-issued equipment.
4. While on administrative leave, employees are not authorized overtime for court appearances, medical appointments, interviews, or other job related events that occur during their scheduled hours.
5. When employees have been authorized to return to work, they shall contact their division commander/manager to be advised of their first regular duty day.

F. DISCIPLINARY APPEALS

If an employee appeals a formal disciplinary action, the appeal shall be conducted pursuant to the CSBR and any applicable labor agreements.