

<b>DISCIPLINE POLICY</b>		Operations Order <b>3.18</b>
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2. C. (5) Unprofessional Conduct

- (a) Sexual harassment
- (b) Unprofessional conduct involving an act of violence where elements of a misdemeanor are met, regardless of whether the employee was indicted, prosecuted, or convicted
- (c) Physical abuse/confrontation towards another employee
- (d) As defined in Classification Guidance Criteria (section 3 of this Addendum)

D. Class III Violations - Violations that are so serious and malicious in nature, they may require immediate intervention by the Chief of Police (or designee) for the immediate removal of all employee responsibilities.

- Class III violations will be referred to the DRB for a possible demotion and/or 40, 80, or 240 hour suspension without pay, or termination/Loudermill Hearing.

(1) Benefits/Job Performance

- (a) Bribery
- (b) Giving false, incomplete, or misleading statements, or willful omissions during an investigation
- (c) Knowingly submitted a criminal investigation/internal investigation report with false information
- (d) Illegal use of drugs
- (e) Reported to work with drugs or alcohol (.02 or above) in their system
- (f) Operated a City vehicle with drugs or alcohol (.02 or above) in their system
- (g) Operated a vehicle while under the influence of drugs or alcohol (.08 or above) DUI (on duty, off duty, or off-duty)
- (h) Non-authorized consumption of alcohol while on duty
- (i) Consumption of alcohol or drugs while working off-duty as a peace officer
- (j) Unable to perform essential job duties (court imposed prohibited possessor, AzPOST decertification of peace officer status, driver license status)
- (k) Racial profiling/civil rights type violations (enforcement based solely on race, color, national origin, sex, religion, sexual orientation, or economic status)
- (l) Refusal or failure to obey a lawful direct order resulting in major damage or impact to the Department
- (m) Refusal to take, tampering with, or failure of the substance abuse screening test
- (n) With the intent to defraud, submitting any type of report (overtime, employee reimbursement, etc.) for monetary gain
- (o) Neglect of duty

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2. D. (2) Unprofessional Conduct

- (a) Unprofessional conduct where elements of a felony are met, regardless of whether the employee was indicted, prosecuted, or convicted
  - (b) Consensual sexual contact (on duty or off-duty)
  - (c) Soliciting an act of prostitution
  - (d) As defined in Classification Guidance Criteria (section 3 of this Addendum)
- (3) Weapons/Use of Force - Employees who fail to immediately notify a supervisor of a use of force incident listed below will be subject to the discipline enumerated in section D of this addendum.
- (a) Intentional discharge of a firearm (with injury) in violation of policy
  - (b) Excessive Use of Force – Handcuffed or restrained individual (with injury)

**3. CLASSIFICATION GUIDANCE CRITERIA**

- A. This section identifies non-specific violations of policy not listed in this addendum which amount to unprofessional conduct either on duty, off duty, or off-duty.
- B. Failure to investigate a subordinate's act of misconduct or a citizen's complaint per policy will result in disciplinary action equal to the classification level of the misconduct not investigated.
- C. The following are general guidelines used for classification in each category; each point does not have to be met for placement within a specific category:

<b>(1) Increased severity violation and disregard for policy that requires a written reprimand</b>
<ul style="list-style-type: none"> <li>• The employee has received prior recent discipline for the same violation.</li> <li>• The incident did not involve violent conduct.</li> </ul>
<b>(2) Class I violation: Referral to executive assistant chief for an eight (8) or 24 hour suspension</b>
<ul style="list-style-type: none"> <li>• The incident resulted in minor physical injury to employee/s or citizen/s.</li> <li>• Extreme disrespect or willful mistreatment of a citizen or employee beyond that of rude conduct was displayed.</li> <li>• Aggravated circumstances outweigh all other factors where conduct is egregious to the extent that a suspension is prudent.</li> <li>• The incident resulted in major damage/loss or impact to the Department (\$5000.00).</li> </ul>
<b>(3) Class II violation: Referral to executive assistant chief or DRB for a 24 or 40 hour suspension and/or demotion</b>
<ul style="list-style-type: none"> <li>• The incident jeopardized the status of a criminal or internal investigation.</li> <li>• The incident involved violent conduct.</li> <li>• The incident involved the intentional abuse of police powers, authority, and privileges.</li> <li>• The incident resulted in major reputation damage or discredit to the City or Department.</li> <li>• The incident resulted in major damage/loss to City, personal, or a citizen's property.</li> <li>• The incident resulted in serious physical injury to employee/s or citizens.</li> <li>• The incident involved an integrity issue not related to a criminal or internal investigation.</li> </ul>
<b>(4) Class III violation : Referral to DRB for a possible demotion and/or 40, 80, or 240 hour suspension, or termination/Loudermill hearing</b>
<ul style="list-style-type: none"> <li>• The conduct was so outrageous that attempts to correct performance would be fruitless.</li> <li>• The employee's actions violated the oath of office or basic Department values.</li> <li>• The incident involved an integrity issue related to a criminal or internal investigation.</li> </ul>