

WOLFEBORO POLICE DEPARTMENT

SOP 2.6

Date Issued: 12/27/2019

Review: 02/25/2021

[Note: This written directive is for the internal governance of the Wolfeboro Police Department and, as provided by RSA 516:36, is not intended and should not be interpreted to establish a higher standard of care in any civil or criminal action than would otherwise be applicable under existing law.]

**By Order of:
Dean J. Rondeau, Chief of Police**

DISCIPLINE

Policy To be fair and impartial, constructive in nature and without personal bias or prejudice in its administration.

Purpose The purpose of this directive is to cover the following:

- Progressive Discipline
- Counseling
- Reprimands
- Demotions
- Reports

Remedial Training
Warnings
Suspensions
Termination

General Guidelines Each member will be treated fairly and in a consistent manner. Positive measures will be used to improve performance. Counseling should be utilized first to improve or correct problems. Progressive discipline shall be used if necessary, to correct problems. Personnel improvement measures in order of progression are:

- Commendation
- Remedial Actions
- Reprimands
- Disciplinary Actions

Commendation Positive acknowledgements of outstanding work should be awarded. The following are some recommended types of commendations:

Undocumented Verbal Acknowledgement	Informal recognition for a job performed well
Memos (personnel file)	Informal written acknowledgement to recognize specific acts or contributions

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Formal Commendation	Citizen Letter – of thanks, praise and appreciation Chiefs Letter – Recognition for actions, attitudes, abilities and initiatives as to reflect credit on themselves and the department
Medal/Plaque	Formal recognition of outstanding actions or performance

**Remedial
Actions**

The initial step utilized to correct infractions or performance issues
This step is usually informal in nature

Step	Action
Counseling	Informal in nature for an exchange of information Initiated by the supervisor or member Counseling sessions may result in: <ul style="list-style-type: none"> • Immediate resolution • Remedial training • Referral to professional counseling
Training	Training will be provided to improve skills Remedial training will be documented on a Training Memo
Professional Counseling	May be used in resolving personal problems (clergy, physicians, etc)

Reprimands

Are to be used to point out errors and warn of further actions if the problem persists.

Step	Action
Oral Warning	First step in discipline Member should be advised of the problem and ways to correct it Supervisor shall document meeting in memo form Not to be placed in members personnel file
Formal Counseling	Documented in memo form Identifies the problem and how it needs to be corrected Maintained in the members personnel file for one year
Written Reprimand	<ul style="list-style-type: none"> • Official Reprimand – notification of the problem, corrective steps and what future actions will be taken if not corrected written reprimands will contain: <ul style="list-style-type: none"> • Nature of offense • Dates and circumstances • Measures needed to correct • Future actions if situation not corrected • Appeals procedure available

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**Disciplinary
Action**

The following actions can be taken to correct or alleviate a problem
The sequence of actions will be based on the seriousness of the issue.

Step	Action
Suspension Without Pay	Temporary removal from official duties The Chief, on approval of the Police Commissioners, may suspend any member for such a period not to exceed 10 days Suspended employees will be notified in writing <ul style="list-style-type: none"> • Reason for the suspension • Duration of the suspension period • Referred to the Town Grievance Policy Members can meet with the Chief for a full explanation Documentation to be placed in the personnel file of member
Demotion	Reduction in rank with the accompanying reduction in pay Initiated by the Chief with Approval of the Police Commissioners. Employee will be notified in writing of: <ul style="list-style-type: none"> • Reason • Effective date • Union Grievance Policy
Termination	Involuntary cessation of employment By recommendation of Chief of Police to be approved by the Police Commissioners Employee will be notified in writing of: <ul style="list-style-type: none"> • Reason • Date of discharge • Status of benefits and retirement • Statement in regard to the discharge reason • Union Grievance Policy

Appeals

Disciplinary actions may be appealed. Follow union grievance contract.

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**Supervisory
Procedure**

Supervisors who witness or receive notification of violations of regulations or laws will initiate disciplinary action or bring it to the attention of the person's supervisor.

The initial supervisor will take whatever counseling or training that is required up to and including a training memo.

Written warnings, formal reprimands, suspensions, etc., are to be recommended to the Chief in writing and must include:

- Summary of Event
- Conclusion, recommendation & reason
- Accompanying documentation (previous discipline issues, statements, reports, etc.)

All disciplinary matters are confidential and shall not be discussed with any uninvolved party.

Supervisors are to oversee and recommend disciplinary action for all violation occurring under their supervision.

**Offense
Categories**

The following categories shall be used to determine what type of discipline shall be recommended:

<p>Class One – Minor Verbal or Training Memo, Written Warning</p>	<p>Insubordination Dress violations Violation of directives Failure to complete reports or poor quality Tardiness Failure to maintain department equipment Rowdy or disorderly conduct Other offenses as deemed unacceptable by the Chief</p>
<p>Class Two – Major Reprimand or Suspension</p>	<p>Insubordination Failure to carry out assignments or calls for service Leaving duty post without authorization Discourtesy to the public Failure to report for court, scheduled duty Failure to follow orders Repeated offenses from Class One Other offenses as deemed unacceptable by the Chief</p>

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Class Three – Severe Enough to Cause termination of employment	Flagrant insubordination Failure to obey an order Intentional violation of any state, federal or local law Perjury False reporting or untruthfulness Failure to comply with an internal investigation Falsification of evidence Unauthorized discharge of firearms Gross dereliction of duty Repeated Class Two offenses Other offenses as deemed unacceptable by the Chief
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Conclusions

Written Disciplinary actions (Written Warning and above) must be investigated prior to service on the member.

Based on evidence presented, one of the following conclusions must be decided:

- Sustained – the allegation is substantiated
- Unfounded – the allegation is false or not factual
- Exonerated – the incident occurred, but the officer or employee acted lawfully and properly.
- Not Sustained – The allegation is not substantiated.
- Misconduct not based upon the complaint, Sustained – Substantiated misconduct not alleged in the complaint.

Once concluded, disciplinary action will be recommended

**Emergency
Suspension**

In an emergency, due to serious circumstances and in the best interest of the department or community.

The Chief or his designee shall suspend a member with pay

Emergency examples are:

- Member is physically or psychologically unfit
- Seriousness of the conduct deems it is in the best interest of the department or community.
- During the course of an Internal Affairs Investigation
- Serious liability issue exists if member continues on duty

Police Commissioners should be immediately notified of the action and reason.

Continuation of suspension will be determined based on the issue and the investigation.

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Records

Disciplinary actions shall be maintained in the member's personnel file
Personnel files are maintained in a locked cabinet at Town Hall in the Human Resource Department. Documentation shall be kept per policy.

Responsibilities

Supervisors	To oversee quality of work and to take corrective measures as needed To ensure that all departmental regulations, Town, State and Federal are upheld To start the disciplinary procedure if necessary
Captain/Executive Officer	Maintain confidential files on all members
Chief	Review recommendations and decide on employee actions Make recommendations to the Police Commissioners on: <ul style="list-style-type: none">• suspensions, demotions and terminations

Forms

Written Training Memo	For documented issues of counseling Retraining issues that are mandatory to correct problems Filed in member's personnel file
Letter Format <ul style="list-style-type: none">- Written Warning- Formal Reprimand- Suspension- Demotion- Termination	Covers: <ul style="list-style-type: none">• Event• Reason• Effective date if needed• Status of benefits & retirement if needed• Union Grievance Policy Filed in member's personnel file
NHPST Form "G"	Submitted to NHPSTC On completion of finding Copy maintained in subject personnel folder