

Charlestown Police Department Standard Operating Procedures - TITLE V: Complaints & Disciplinary Actions -

Article 1 Police Officer's Bill of Rights

Section 1: As used in this Article, "Police Officer" shall mean all persons who are sworn and full time members of the Charlestown Police Department.

Section 2: Pursuant to Indiana Code 36-8-3-4 a Police Officer's Bill of Rights which applies to all police officers who become full time paid officers of a police force prior to and after the effective date of this policy.

Section 3: Except when on duty or when acting in his/her official capacity, no police officer shall be prohibited from engaging in political activities or be denied the right to refrain from engaging in political activities, provided such activities do not impede or impair the efficient operation of the Department.

Section 4: Whenever a police officer is under investigation and subject to interrogation by the Chief of Police or his designee, the following procedures apply:

1. The interrogation shall be conducted at a reasonable hour, preferably at a time when the police officer is on duty, unless, in the judgment of the interrogating officer(s), the seriousness of the investigation is of such a degree that an immediate interrogation is required.
2. The interrogation shall take place either at the office of the Chief of Police or an equivalent office setting as designated by the interrogating officer.
3. Prior to such interrogation of any police officer, he/she shall be provided a "Statement of Rights." (*example on page 294*)
4. The police officer being interrogated shall be informed of the name, rank, and assignment of the officer in charge of the investigation, the interrogating officer(s), and all persons present during the interrogation.
5. In non-criminal cases, once an officer is scheduled for interrogation by the Chief, he/she will be provided a copy of the complaint where one exists. In criminal cases, the officer will be informed of the nature of the complaint. In either case, the name of the complainant shall be disclosed.
6. Interrogation sessions shall be for reasonable periods of time and shall allow for such personal necessities and rest periods as are reasonably necessary.
7. The interrogation of the police officer shall be tape recorded upon the request of either party. A written transcript of the tape shall be provided to the officer upon request and at no cost to the officer.
8. If the police officer under interrogation is under arrest or is likely to be placed under arrest, he/she shall be completely informed of all his/her rights prior to the commencement of the interrogation.

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9. Questions posed to a police officer under investigation shall specifically, directly, and narrowly relate to the performance of the police officer's official duties or his/her fitness for serving as a police officer. Under no circumstances shall the police officer being investigated be required to waive his/her right to remain silent with respect to the use of the police officer's answers or the fruit thereof in a criminal prosecution.
10. At the request of the police officer under interrogation by the Department, he/she shall have the right to have an attorney, or a representative of his/her choice from within the Department present during such interrogation whenever the interrogation relates to the officer's continued fitness for law enforcement service. The attorney or representative shall not participate in the interrogation except to advise the police officer.
11. Only in criminal and corruption matters under Department investigation may a police officer be required to submit to a polygraph examination. The questions comprising such tests shall specifically, directly, and narrowly relate to the performance of the police officer's official duties or his/her continued fitness to serve as a police officer. Under no circumstances shall the police officer being investigated be required to waive their right to remain silent with respect to the use of the police officer's answers or fruits thereof in a criminal prosecution. The results of such an examination shall not be used in any subsequent criminal court action without the consent of the police officer.

Section 5: Whenever a police officer is ordered to appear for a hearing before a Board as directed by the Chief in accordance with Indiana Code, the following procedures shall apply:

1. The hearing shall be administrative in nature.
2. The hearing shall be conducted at a reasonable hour and the officer shall receive proper notice to appear.
3. The hearing shall take place either in the Chief's office or an equivalent setting as designated by the Board.
4. Prior to such hearing, the officer shall be provided a "Statement of Rights." (*example on page 294*)
5. The police officer shall be informed of the name, rank, and assignment of the officer in charge of the hearing, the Board members, and all persons present during the hearing.
6. In non-criminal cases, once an officer is scheduled for a hearing he/she will be provided a copy of the complaint where one exists. In criminal cases, the officer will be informed of the nature of the complaint. In either case, the name of the complainant shall be disclosed.

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7. Hearing sessions shall be for reasonable periods of time and shall allow for such personal necessities and rest periods as are reasonably necessary.
8. The Board hearing shall be tape recorded. A copy of the tape shall be provided to the officer for the purposes of appeal. The tape copy shall be at no cost to the officer.
9. Questions posed to a police officer during the hearing shall specifically, directly, and narrowly relate to the performance of the police officer's official duties or his/her fitness for serving as a police officer. Under no circumstances shall the police officer be required to waive his/her right to remain silent with respect to the use of the police officer's answers or the fruits thereof in a criminal prosecution.
10. At the request of the police officer, he/she shall have the right to have an attorney, or a representative of his/her choice from within the Department present at all times during such hearing whenever the hearing relates to the officer's continued fitness for law enforcement service. The attorney or representative shall be allowed to address the Board, present evidence, and question witnesses to clarify testimony pursuant to the guidelines established by the Board. The attorney or representative must abide by the policies, procedures, and ruling of the Board. At the sole discretion of the Board, counsel may be expelled or excluded from the hearing for cause. Such cause includes, but is not limited to, counsel's failure to follow the Board's guidelines, policies, procedures, or ruling; or disruptive conduct. The Board shall have final authority and full responsibility for the hearing.
11. Only in criminal and corruption matters under Departmental investigation may a police officer be required to submit to a polygraph examination. The questions comprising such tests shall specifically, directly, and narrowly relate to the performance of the police officer's official duties or his/her continued fitness to serve as a police officer. Under no circumstances shall the police officer being investigated be required to waive their right to remain silent with respect to the use of the police officer's answers or fruits thereof in a criminal prosecution.
12. The officer shall have the right to appeal any decision/finding of the Board in accordance with Indiana statutes.
13. The procedure contained in this section does not apply to administrative reviews by the Board.

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Section 6: No police officer shall be required, for purposes of assignment or other personnel action, to disclose at any time, his/her property, income, assets, source of income, debts, or personal or domestic expenditures (including those of any member of his/her family or household), unless such information is obtained under proper legal procedures or tends to indicate a conflict of interest with respect to the performance of his/her official duties. This section shall not prevent inquiries made by authorized agents of a tax collecting agency in accordance with acceptable and legally established procedures.

Section 7: No dismissal, transfer, reassignment, or other personnel action which might result in loss of pay or benefits, or other punitive measures resulting in monetary loss, shall be taken against a police officer unless such police officer is notified of the action and the reason or reasons therefore prior to the effective date of such action.

Section 8: No police officer shall be discharged, disciplined, or demoted, or denied promotion, transfer, or reassignment; or otherwise be discriminated against in regard to his/her employment, or be threatened with any such treatment by reason of his/her exercise of the rights granted in the Police Officer's Bill of Rights.

Section 9: In the event a complaint has been dismissed or the complaint has resulted in an investigation and/or hearing where the police officer has been found innocent of the allegations, there shall be no record placed in the police officer's personnel file regarding said complaint.

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STATEMENT OF RIGHTS

I wish to advise you that you are being questioned as part of an official investigation of the Charlestown Police Department. You will be asked questions specifically, directly and narrowly relating to the performance of your official duties as a police officer or concerning your fitness for serving as a police officer. You have the constitutional right not to incriminate yourself. I further wish to advise you that if you refuse to testify, or to answer questions relating to the performance of your official duties or fitness for duty, you may be subject to Departmental charges which could result in your dismissal from the Police Department. Under no circumstances will you be required to waive your right to remain silent with respect to the use of your answers or the fruits thereof in a subsequent criminal prosecution.

Investigating Officer's Signature

I have read the above and understand it fully. I sign this statement having been advised of the above rights before any questions have been asked of me.

Officer's Printed Name

Signature

Signed at _____ o'clock AM / PM this _____ day of _____,

20____, at _____,

in the City of Charlestown, Indiana.

Witness Signature (if applicable)

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Article 2 General / Purpose

The purpose of this Title V is to establish disciplinary guidelines for violations of the City of Charlestown Police Department policies, procedures, rules, regulations, general orders, special orders, directives and/or Indiana statutes and City ordinances.

Article 2 General / Purpose

**Chapter 1 Establishment of
Discipline Penalty Guideline -**

In order to attempt to achieve disciplinary action which is fair, consistent, and uniformly applied to each and every member of the Department, a Discipline Penalty Guideline is listed below. However, the fruits of each case of the same or similar type violation must be considered in determining the actual disciplinary action taken against any officer. Violations of the City of Charlestown Police Department Standard Operating Procedures Manual not covered in the Discipline Penalty Guideline will be handled on an individual basis, with the penalty assessment for the violation generally consistent with those for similar violations as listed in the Discipline Penalty Guidelines.

Article 2 General / Purpose

Chapter 2 Discipline by the Chief -

The City of Charlestown provides that the Chief may discipline a police officer by reprimand, forfeiture, or suspension with or without pay for five (5) days or less under the following violations:

1. Conviction of any criminal offense in a court of law;
2. The finding of any officer guilty of a breach of discipline, including:
 - a. Neglect of duty;
 - b. Violation of rules or regulations of the City of Charlestown Police Department;
 - c. Neglect or disobedience of orders (insubordination);
 - d. Continuing incapacity (fitness for duty);
 - e. Absence without leave;
 - f. Immoral conduct;
 - g. Conduct injurious to the public peace or welfare;
 - h. Conduct unbecoming a member of the City of Charlestown Police Department;
 - i. Any other breach of discipline.

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The Chief, without filing charges with the Board of Works and Public Safety may suspend with or without pay for a period of one (1) day and not to exceed five (5) days per occurrence; or thirty (30) days within a twelve (12) month period; any member of the police department for violations of the City of Charlestown Standard Operating Procedures and/or the City of Charlestown Personnel Policies Manual. The Chief shall notify the Board of Public Works and Safety in writing of the suspension within forty-eight hours (48) of issuance.

The Chief may take the following disciplinary measures for violations of the City of Charlestown Standard Operating Procedure and/or the City of Charlestown Personnel Policies Manual:

1. Reprimand a member or employee orally;
2. Reprimand a member or employee in writing;
3. Reassign a member's or employee's job functions.

**Article 2 General / Purpose Chapter 3 Discipline by the
Board of Public Works -**

Allegations against any member or employee of the City of Charlestown Police Department may be filed by the Chief, upon completion of an internal investigation, for an alleged breach of discipline. Allegations may include any civilian complaint of an alleged breach of discipline.

Before a police officer of the Department may be suspended in excess of five (5) days, demoted, or dismissed, the Board of Works and Public Safety shall offer the police officer an opportunity for a hearing, if demanded by the police officer. A written notice shall be given either by service upon the police officer in person or by a copy left at his/her last and usual place of residence. The notice must state:

1. The time and place of the hearing;
2. The specific charges against the officer;
3. The specific conduct that comprises the charges;
4. That the officer is entitled to be represented by legal counsel;
5. That the officer is entitled to call and cross-examine witnesses;
6. That the officer is entitled to require the production of evidence; and
7. That the officer is entitled to have subpoenas issued, served, and executed by the City where the unit is located.

The reasons for the suspension, demotion, or dismissal of a police officer of the City of Charlestown Police Department shall be entered as specific findings of fact upon the records of the Board of Public Works and Safety.

A police officer who is suspended for a period exceeding five (5) days, demoted, or dismissed may appeal the decision to the circuit or superior court of Clark County.

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Article 3 *Complaint Procedure*

Any police officer, regardless of rank, may use the complaint process to allege the violation of the City of Charlestown Police Department Standard Operating Procedures or any other allegation of misconduct on the part of any other police officer. A police officer may institute a review by filing a written complaint with the Chief. Upon receipt of a written complaint against a police officer of the Department, the following procedure will be followed:

1. The Chief shall refer the allegations to the internal affairs officer(s) or his designee for investigation or to another police agency for investigation.
2. A written report from the internal affairs officer, his designee, or the other police agency of the investigation must be filed with the Chief, as soon as possible.
3. The Chief may then determine what, if any, disciplinary action needs to be taken or to refer the case to the Board of Public Works and Safety or any other appropriate official.
4. The police officer against whom the complaint was filed shall be notified in writing of the complaint and any disciplinary action taken.
5. The Board of Public Works and Safety has the right to review any disciplinary actions taken by the Chief.

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Article 4 Disciplinary Guidelines Chapter 1 Effect of Article -

1. The list of suggested disciplinary actions set out in this section are intended as guidelines for the Chief in administering fair and uniform discipline for violations of the Rules and Regulations of the Department.

2. Disciplinary actions recommended by the Chief for violations may fall within the prescribed limits. The list of suggested disciplinary actions does not limit any action that the Chief or the Board of Public Works and Safety may impose.

Article 4 Disciplinary Guidelines Chapter 2 Offenses not Listed -

Violations not included in the following list may result in disciplinary actions similar to those specified for listed offenses of compatible seriousness.

Article 4 Disciplinary Guidelines Chapter 3 Repeated Violations -

Repeated violations of the policies, procedures, rules, and regulations outlined in this manual or other conduct indicating that a police officer has failed to fulfill the obligations of the Department may be grounds for more serious discipline regardless of the severity of the offenses or whether the violations committed are of the same type.

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Article 5 Discipline Penalty Guidelines Chapter 1 Violations -

Class A	180 days to Termination
Class B	1 st Offense 30 Days to 180 Days 2 nd Offense 180 Days to Termination
Class C	1 st Offense 11 Days to 30 Days 2 nd Offense 30 Days to 180 Days 3 rd Offense 180 Days to Termination
Class D	1 st Offense 5 Days to 10 Days 2 nd Offense 11 Days to 30 Days 3 rd Offense 30 Days to 180 Days 4 th Offense Class A – 1 st Offense
Class E	1 st Offense 1 Day to 5 Days 2 nd Offense 5 Days to 10 Days 3 rd Offense 11 Days to 30 Days 4 th Offense Class B – 1 st Offense
Class F	1 st Offense Written Reprimand 2 nd Offense 1 Day to 5 Days 3 rd Offense 5 Days to 10 Days 4 th Offense Class C – 1 st Offense
Class G	1 st Offense Written Warning 2 nd Offense Written Reprimand 3 rd Offense 1 Day to 5 Days 4 th Offense Class D – 1 st Offense

Article 5 Discipline Penalty Guidelines Chapter 2 Oral Warnings -

Nothing in the above guidelines prohibits the Chief from issuing an oral warning to an officer.

Article 5 Discipline Penalty Guidelines Chapter 3 Written Warnings -

Written warnings may be issued by the Chief or Assistant Chief with entry on the proper form signed by the officer in question and placed in the officer's personnel file. A copy should be furnished to the officer.

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Article 5 Discipline Penalty Guidelines Chapter 4 Written Reprimand-

Written reprimands may be issued by the Chief or the Assistant Chief on the proper form, signed by the officer in question and placed in the officer's personnel file. A copy should be furnished to the officer.

Article 5 Discipline Penalty Guidelines Chapter 5 Suspensions -

Suspensions may be issued by the Chief and/or the Board of Public Works and Safety on a proper form, signed by the officer in question, and placed in the officer's personnel file. A copy should be furnished to the officer. Suspensions for any period shall remain a part of the officer's permanent record. All suspensions shall be for working days with compensated loss of pay by the police officer. Use of overtime, vacation, or holidays in lieu of suspension will not be allowed.

Article 5 Discipline Penalty Guidelines Chapter 6 Termination -

Upon recommendation of the Chief, terminations may be issued by the Board of Public Works and Safety on a proper form, signed by the officer in question, and placed in the officer's personnel file. A copy should be furnished to the officer. A terminated officer will receive his/her final pay and accrued, vested benefits in accordance with applicable state law. Officers must return all City equipment before issuance of their final pay check.

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Guideline A Neglect of Duty

Rule 1 Escape of Penalties – Class D

No officer shall be party to any promise, scheme, arrangements, or agreement between persons charged with a criminal offense and the persons who have suffered from the criminal offense with a view to allow the violator to escape the penalties provided by law.

Rule 2 Alertness on Duty – Class E

Officers must at all times, when on duty, remain awake, alert, and use reasonable diligence in preventing crime, detecting criminal violations protecting property, making apprehensions of persons committing crimes in their presence, and those persons who they have reasonable cause to believe have committed an offense.

Rule 3 Reporting Criminal Violations by Police Officers – Class B

Officers must report, personally, to the Chief criminal violations of State or Federal laws committed by a fellow officer.

Rule 4 Reporting Infraction of Rules/Officers Holding Rank – Class F

It is the duty of all Commanding and Supervisory Officers to report serious violations of the City of Charlestown Police Department Standard Operating Procedure Manual to the Chief. Serious violations include those categorized within this Title as Class A, B, C, D, or E Infractions.

Rule 5 Submission of Reports – Class F

Officers must submit all written and oral reports as required by the City of Charlestown Police Department Standard Operating Procedure Manual within a reasonable time.

Rule 6 Personal Business – Class F

Officers must not conduct personal business while on duty which may interfere with the proper performance of their police duties.

Rule 7 Guarding Prisoners at Hospitals – Class E

When guarding prisoner(s) at a hospital, no officer should leave the prisoner unless properly relieved by another officer.

Rule 8 Subpoenas – Class F

It is the duty of officers subpoenaed into court to be present at the date and time specified on the subpoena, unless other acceptable arrangements are made by the officer.

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Rule 9 Supervision – Class E

All officers holding rank in a supervisory position should, at all times, properly supervise, evaluate, and control their subordinates.

Rule 10 Back-Up and Assistance – Class C

Any officer who fails to render necessary and proper assistance to a fellow officer when needed is guilty of neglecting his/her duty.

Rule 11 Abuse of City Property – Class F

Officers should not abuse, damage, or destroy any equipment or property of the City of Charlestown through intention or negligence. Officers should be responsible for the proper care of City property, whether fixed or movable, and should promptly report the loss of, the damage to or the unserviceable condition of such property. Such reports will be made to the Office of the Chief.

Rule 12 Divulgence of Name – Class G

Officers should give their name to any person when requested to do so, in a courteous manner. This should not be done when it would breach the police security or limit an investigation.

Rule 13 Confiscated Property – Class E

Officers who confiscate any property or evidence or contraband or stolen property should tag or label the articles and secure in the evidence room or locker.

Rule 14 Person Taken into Custody – Class E

Whenever any officer takes any person into custody, he/she should immediately search the person and seize all property found among his/her personal possessions which might consist of weapons, evidence, contraband, or other articles permitted to be seized under Indiana and Federal laws.

Rule 15 Bribery – Class F

Any attempt to bribe an officer should be reported to the Chief, in writing, at the earliest possible time.

Rule 16 Storage of City Owned Equipment – Class G

When City owned equipment is left any place that is not a normal storage area for that equipment, officers responsible for leaving that equipment should submit a report stating the location, item, quantity, and the reasons for leaving such equipment. Such a report is not necessary if the equipment is recovered by the officers before the end of their tour of duty.

Rule 17 Names and Unit Numbers – Class G

All reports submitted by police officers shall contain the name and personal badge number of the officer filling out the report.

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Rule 18 Hospital Treatment of Arrestee – Class G

All persons who are arrested and who appear to be ill or have any injury, or any persons suspected of being dangerously under the influence of drugs, mentally or emotionally disturbed, or appear to be acting abnormally because of possible physical disorder should be taken to a hospital emergency room for treatment before being taken to jail. If a subject is taken to the hospital and refuses to be treated or checked, emergency room verification of action should be given to the personnel at the jail. Notation of hospital action should be entered on proper report.

Guideline B Violation of the City of Charlestown Police Department Standard Operating Procedures

Rule 1 Outside Employment – Class F

Any officer engaging in regular outside employment should submit in writing to the Chief his/her exact location, hours to be worked, and the current telephone number at the location for the purpose of availability for emergency duty. Any officer employed in a police capacity should at all times be governed by the City of Charlestown Police Department Standard Operating Procedures.

Rule 2 Appropriate Communications – Class F

All officers, regardless of rank or assignment, should maintain appropriate communication with the dispatch at all times.

Rule 3 Public Statements – Class D

No officers should communicate to any person not entitled thereto, nor make any public statement concerning any department, law enforcement activity, case, or any proposed action by the City of Charlestown Police Department, or publicly criticize an action or order of the Department, unless such communication is authorized by the Office of the Chief.

Rule 4 Posting Bond – Class G

No officer, while on duty, should recommend any attorney or bondsman to any person or prisoner, or post bond for any prisoner.

Rule 5 Personal Quarrels – Class E

Officers should not make arrests in their personal disputes, quarrels or those of their families except under exceptional circumstances which justify them as in self-defense.

Rule 6 Gratuities – Class B

Officers should not accept gifts or gratuities of any kind or type from persons arrested, or from persons on behalf of an arrestee.

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Rule 7 Limits of Patrol – Class F

No officer should patrol outside the City limits except in immediate or fresh pursuit of a violator, transport, court duty, official business, in emergency investigations or other circumstances authorized by the Office of the Chief.

Rule 8 Use of Tobacco – Class G

Officers may use tobacco as long as they:

1. Are not in formation,
2. Do not have to leave their assignment or post for the sole purpose of using tobacco, and
3. Are not engaged in traffic direction or control.

Officers should adhere to designated smoking areas while in public places.

Rule 9 Telephone/Pagers – Class G

Officers should have and maintain telephones in their residences, and should immediately report any changes of telephone numbers or addresses to the Office of the Chief.

Rule 10 False Reports – Class B

No officer should knowingly make a false report to the Department nor should he/she knowingly enter or cause to be entered in any Departmental books, records, or reports any inaccurate, false, or improper information. No officer should knowingly withhold information from the City of Charlestown Police Department, Prosecutor, or any court in which the officer is a witness.

Rule 11 Revealing Information – Class E

No officer should reveal any information from any part of the Police Department to anyone not authorized to receive such information. Records checks should not be given to any law enforcement officer for the purpose of employment check by a private firm. Only the Office of the Chief is permitted to supply records for employment purposes and then only after having received a signed waiver from the individual under question.

Rule 12 Off Duty ID – Class G

All officers, when in an off-duty status, should have in their possession their City of Charlestown Police Department identification.

Rule 13 Purchases and Distributions – Class F

Requisitions for any and all monies or expenditures from the Police Department budget must be approved prior to purchase or disbursement from the Office of the Chief. If a purchase is made without such approval, the officer making the purchase of the item or items may be held responsible for payment of the purchase.

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Rule 14 Radio Traffic – Class G

All police personnel should refrain from unnecessary radio traffic. All radio communications should be conducted in a professional manner and for a police purpose.

Rule 15 Drug Testing – Class G

The Department has the duty to protect citizens from crime and to ensure individual safety. This task requires that the Department has the best training, equipment, and personnel that can be achieved. The Department has an obligation to the community to set standards of professional image, ethics and conduct. In order that these standards be met, it is necessary that law enforcement officers, remove any doubts as to our professional standards.

The City of Charlestown Police Department recognizes that one of the major problems facing society is the prevalence of substance abuse. In order to foster a drug free environment, drug testing may be required in situations involving probable cause, post-accidents, and post-shootings.

Guideline C Neglect or Disobedience of Orders (Insubordination)

Rule 1 Obedience of Lawful Orders – Class E

All officers of the City of Charlestown Police Department should obey all legal orders, directives, and instructions of the Chief, or supervisory officers.

Rule 2 Emergency Duty – Class E

All officers should be available for emergency duty upon notice by the Office of the Chief or his/her duly authorized representative. Failure or refusal to respond to emergency duty, without just cause, may be considered disobedience of orders.

Rule 3 Change of Orders – Class F

All officers should obey the orders of their immediate supervisor or Chief. When an officer is acting under the orders of a supervisory officer and is then given an order by another supervisory officer, he/she should immediately report the first order to the second supervisory officer and then abide by the decision of the last supervisory officer.

Rule 4 Training – Class F

Officers should fully attend any seminars, law enforcement courses, or training session prescribed by the Department to which they are assigned.

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Rule 5 Response to Dispatchers – Class G

All officers should respond immediately to a call from the dispatcher by giving unit number. All officers should respond to all assignments given them by the dispatcher immediately upon receipt of such assignments regardless of the location. In an emergency or serious situation an officer may change his or her assignment with the knowledge of the dispatcher.

Rule 6 Senior Officer at Scene – Class F

In all police actions, the ranking officer present should assume overall responsibility for the scene; he/she should, however, render all assistance necessary or as requested to the officer(s) assigned to investigate the incident.

Guideline D Incapacity (Fitness for Duty)

Fitness for duty includes but is not be limited to the following:

Rule 1 Physical/Mental Condition – Class G

Every officer should maintain good physical and/or mental condition at all times. In the event of the failure of the officer to perform his/her assigned duties, the Chief may order the officer to submit to tests to determine the officer's fitness for duty.

Rule 2 Drinking on Duty – Class A

Officers should not consume intoxicating beverages while in uniform or on duty except in the performance of his/her duties and while acting under specific orders from the Chief. Officers should not drive Department vehicle after consuming alcoholic beverages.

Rule 3 Intoxicants (Appearance for Duty) – Classes E & G

Class E: No officer should appear for duty, or be on duty, while under the influence of intoxicants to any degree whatsoever. Any officer suspected of consuming, or under the influence of, intoxicating beverages or drugs, must submit to a breath and/or blood test if requested by a supervisory officer.

Class G: No officer should appear for duty, or be on duty, with an odor of intoxicants on his/her breath.

Rule 4 Drinking Off Duty – Class B

Officers, while off duty, should refrain from consuming intoxicating beverages to the extent that it results in public intoxication and obnoxious or offensive behavior which discredits them or the Department.

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Rule 5 Possession and Use of Drugs on Duty – Class A

Officers while on duty should not possess or use any controlled substances, narcotics or hallucinogens, except as provided for by Department SOP and within the course of their officially assigned duties as a law enforcement officer. Off Duty use or possession of any controlled substance or narcotic should be limited to that which is legally and properly prescribed by a medical physician.

Guideline E Absence Without Leave

Rule 1 Absence with Leave – Class E

Each officer should report for assigned duty. Failure to report for assigned duty may constitute the violation of Absent Without Leave.

Rule 2 Reporting Late for Duty – Class G

Each officer should report punctually for assigned duty unless granted prior permission from the officer's Shift Commander or due to circumstances (such as illness or injury) beyond the control of the officer. Immediate notice to the Department is mandatory under the latter circumstances. The notification time should be maintained within the Communication Room.

Rule 3 Violation of Sick Leave – Class F

It is the responsibility of each individual officer to contact his/her Shift Commander prior to his/her assigned duty time notifying them of his/her illness. It is also his/her responsibility to provide the Office of the Chief a signed physician statement before his/her return to duty according to the Department Sick Leave Policy. The physician statement should be for the actual days that the officer was sick. For purposes of this policy one (1) sick day constitutes a twenty-four (24) hour period.

Rule 4 Outside Employment While on Sick Leave – Class D

No officer should engage in employment outside the Department while on sick leave.

Rule 5 Reporting Late – Class G

Any officer who knows in advance that he/she will be late is required to call in. Under such circumstances, the officer should be charged only the amount of time that he/she is actually late.

Guideline F Conduct Injurious to the Public Peace/Welfare

Rule 1 Strike Duty – Class F

Officers assigned to strike duty should avoid any public expression regarding the strike, the issues involved, the parties involved, or other individuals except as required to perform their assigned duties.

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Rule 2 Emergency Run – Class F

Officers of the City of Charlestown Police Department should adhere to Standard Operating Procedures regarding emergency vehicle use. When dispatched on an emergency run, officers should not proceed at excessive speeds that would unduly pose a safety risk to any person. On emergency runs, officers should get to the scene of the emergency as quickly and safely as possible. No emergency run should be made unless both the red and blue lights and siren are in use.

Rule 3 Pursuit Policy – Class F

Officers of the Charlestown Police Department should adhere to Standard Operating procedures concerning vehicular pursuits.

Rule 4 Training Drill – Class F

No police officer should engage in any police related type of training drills or exercises involving the members of the general public without the approval of the Office of the Chief.

Guideline G Conduct Unbecoming a Police Officer

Rule 1 Sexual Activity – Class A

No officer should engage in any immoral, unnatural, or illicit sexual activity, which is a violation of state statute or Federal law.

Rule 2 Improper Conduct – Class G

All officers should not exhibit the following conduct while on or off duty:

1. Unwarranted discourteous treatment of a citizen or fellow police officer.
2. Loud, boisterous, vulgar, or obtrusive behavior in public.
3. Repeating falsehoods concerning the Police Department or holding the Police Department up to ridicule.
4. Video and/or audio tape recording actions or conversations of another police officer without the officer's knowledge.
5. Any other act or conduct which is unethical, or tends to demean, debase, ridicule, disgrace, or degrade any officer of the City of Charlestown Police Department or otherwise creates disrespect for law and order.

Rule 3 Prisoner Mistreatment – Class E

No officer should at any time mistreat a prisoner while making an arrest or while a prisoner is in his/her custody. The officer should use only reasonable force in effecting the arrest or restraining the person already in his/her custody.

Serious Violations – Class A

Charlestown Police Department Standard Operating Procedures
- TITLE V: Complaints & Disciplinary Actions -

Rule 4 Physical Altercation – Class D

Officers while on duty should not physically touch, shove, strike or engage in any physical altercation, directly or indirectly, with any other officer of the City of Charlestown Police Department.

Serious Violations – Class A

Schedule H Breach of Discipline

Rule 1 Inquiries Through the Chain of Command

Officers inquiring about the issues within the City of Charlestown should do so through the Chain of Command. No supervisory officer should deny permission, directly or indirectly, to an officer to continue through the Chain of Command.

Officers having a complaint against any other officer should communicate such complaint to their supervisor; and if unresolved submit the complaint in writing to the supervisor.

Rule 2 Public Speaking – Class G

No speeches on subjects concerning the Police Department should be made without the authorization of the Chief.

The preceding standards of professional conduct on the part of Charlestown City Police Department officers and the suggested disciplinary penalty guidelines are not intended as an exhaustive list of actions which could subject a police officer to disciplinary action.