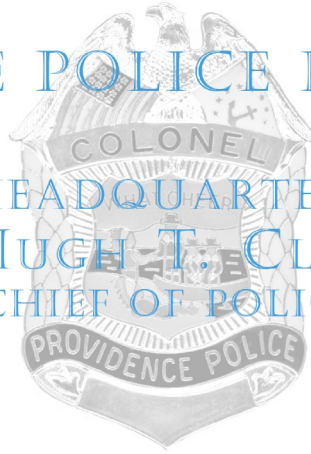


PROVIDENCE POLICE DEPARTMENT

HEADQUARTERS

COLONEL HUGH T. CLEMENTS, JR.
CHIEF OF POLICE



TYPE OF ORDER	NUMBER/SERIES	ISSUE DATE	EFFECTIVE DATE
General Order	130.03	6/5/2014	6/8/2014
SUBJECT TITLE		PREVIOUSLY ISSUED DATES	
Disciplinary System		Supersedes previous G.O. 130.03, entitled "Progressive Discipline"	
REFERENCE		RE-EVALUATION DATE	
CALEA 26.1.4, 26.1.6		6/5/2017	
SUBJECT AREA		DISTRIBUTION	
Administration		All Sworn Personnel	

PURPOSE

The purpose of this policy is to establish an effective disciplinary system for sworn Department personnel.

POLICY

It is the policy of the Providence Police Department to provide a disciplinary system that ensures consistency and fairness when addressing incidents of officer misconduct.

DISCUSSION

The disciplinary system is intended to enforce compliance with Department rules and regulations, directives, and established law, and to encourage proper police conduct. The system provides for positive interventions such as counseling and training, and/or sanctions, as methods for addressing officer misconduct.

PROCEDURE

I. AUTHORITY TO DISCIPLINE

- A. Any supervisor witnessing an incident of alleged officer misconduct shall immediately order the officer in violation to provide a letter, addressed to that supervisor, documenting the misconduct and any reasons for its occurrence.
 1. The officer's letter, along with a cover letter written by the supervisor, will be forwarded to the officer's Division Commanding

Officer. The cover letter shall include the facts and circumstances of the infraction(s) committed by the employee.

- B. The Division Commanding Officer shall determine if the action warrants counseling, training, discipline, or no further action.
 - 1. Where the Division Commanding Officer determines that no further action shall be taken against the employee, maintenance of said letters shall be at his/her discretion.
- C. Infractions considered to be serious in nature that may result in significant penalties (i.e. criminal misconduct, misuse of force, gross insubordination, etc.) must be referred to the Commanding Officer of the Office of Professional Responsibility for further investigation and disposition.

II. PROGRESSIVE DISCIPLINE

- A. Minor infractions of rules and regulations that merit disciplinary action shall be dispensed with in a manner which also takes into account the officer's prior minor infractions.
- B. Whenever the Division Commanding Officer determines that a minor infraction merits discipline, the following sanctions for progressive discipline shall be followed:
 - 1. First Violation – verbal warning, documented in the employee's personnel file.
 - 2. Second violation – written warning, documented in the employee's personnel file.
 - 3. Third violation – written reprimand, documented in the employee's personnel file.
 - 4. Fourth violation – One (1) day suspension without pay, forwarded to the employee's personnel file.
 - 5. Fifth or subsequent violations – Two (2) day or greater suspension, and/or a RI Law Enforcement Officer's Bill of Rights hearing.
- C. Any appeal by an employee for any summary punishment shall be addressed through the grievance procedures as prescribed in the collective bargaining agreement.
- D. Any disciplinary action which may include termination of the employee, and any appeal that may arise therefrom, shall be conducted in accordance with the Rhode Island General Laws Section 42-28.6, "*Law Enforcement Officer's Bill of Rights*".

- E. No disciplinary action may be imposed that infringes on the collective bargaining agreement or the Rhode Island Law Enforcement Officer's Bill of Rights, unless the member agrees to and signs a waiver/agreement allowing such action to be taken.

III. TRAINING AND COUNSELING

A. It is understood that some incidents of officer misconduct may involve extenuating circumstances. In such cases, as well as those involving minor infractions, the Division Commanding Officer retains the right to refer the member to counseling or training in an attempt to have the member conform to Department standards. These actions may be in addition to, or in lieu of, disciplinary action.

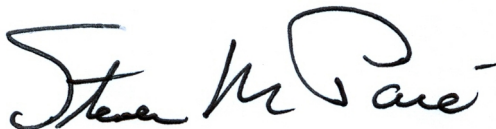
- 1. If the counseling or training cannot be effectively conducted by the Division Commanding Officer, the appropriate Department or City of Providence resource shall be informed so that the counseling or training can be arranged and performed.

IV. DOCUMENTATION

A. All documentation pertaining to counseling, training, or discipline shall be maintained by the Human Resources Bureau in each officer's personnel file, with copies to the Office of Professional Responsibility.

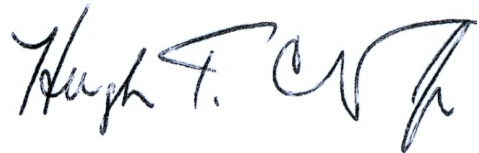
NOTE: This order is for internal use only, and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third-party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

APPROVED:



STEVEN M. PARÉ
COMMISSIONER
DEPARTMENT OF PUBLIC SAFETY

APPROVED:



HUGH T. CLEMENTS, JR.
COLONEL
CHIEF OF POLICE