



TOWN OF MACEDON POLICE DEPARTMENT

General Order: 310	Effective Date: September 19, 2019
Subject: Disciplinary Process	
Reference Standards: 14.4	
Rescinds:	
Page 1 of 5	Attachments: None

I. INTRODUCTION

Discipline within an organization requires compliance to a code of ethics and standards of performance supported by a system of authoritative guidelines such as rules, regulations, general orders and other policies and procedures. Discipline is a necessary element in the maintenance and growth of any person or organization.

II. PURPOSE

- A. To define the authority and responsibility delegated to Sergeants for the maintenance of discipline.
- B. All Supervisors should realize that a disciplinary system is comprised of both positive and negative aspects. To this end, the department's system will contain methods and procedures that include the following areas:
 1. A method of rewarding personnel for exceptional performance.
 - a) G.O. 255- Departmental Awards & Commendation Procedures.
 2. Training to improve employee attitude, skill and performance.
 - a) Training, in and of itself, is not to be construed as disciplinary in nature.
 3. Counseling (often used with training) to clarify expectations.
 4. Punitive action.

III. COMMAND OFFICER'S RESPONSIBILITY

- A. Command Officers (to include the Patrol Sergeant, Administrative Sergeant and Chief of Police) are responsible to ensure that department personnel perform his/her duties according to the policies, procedures, rules, regulations and authoritative instructions of the department.
- B. Command Officers are responsible for personnel:
 - 1. Assigned to their command.
 - 2. Under their supervision even for a brief period (detached service, special program or event, etc.).
 - 3. Those officers who are brought to his/her attention.
- C. Command Officers are expected to initiate action whenever personnel under his/her command are in need of training, counseling or punitive action.
- D. To initiate action means, but is not limited to, the following types of actions.
 - 1. Take necessary action as outlined in this order.
 - 2. Notify the Chief of Police.
 - 3. Notify the Chief of Police, and request a department internal investigation.
 - 4. Make a request, through the chain of command, for appropriate training.

IV. PROCEDURES

A. Training

- 1. Command Officers are expected to take action to train personnel under their command where such training is deemed necessary. Training can take two forms:
 - a) To teach new skills, introduce different methods, etc.
 - b) To remediate skills already taught.
- 2. Command Officers will submit lesson plans utilized for this training to the Chief of Police and the appropriate Department Training Officer.
- 3. Command Officers are encouraged to suggest areas of training for the department.

B. Counseling

- 1. Command Officers are encouraged to counsel personnel under their command

in order to clarify department expectations.

2. Counseling sessions are intended to address the performance of an individual.

- a) All counseling sessions must be documented and all documentation will be retained by the Command Officer.

C. Punitive Actions

1. Command Officers are required to initiate corrective measures to assure compliance with department rules, regulations, policies and procedures.

2. If a Command Officer observes an employee under his/her direction violate a department rule, regulation, policy or procedure, the Command Officer will take the following action:

- a) Advise the employee of the violation
 - b) Have the person correct the violation
 - c) Document the violation and corrective action taken
 - d) Retain the documentation

3. Depending on the type/seriousness of the violation:

- a) Provide training or instruction if necessary.

4. Document the violation and corrective measures in a "Counseling Letter" documenting actions taken.

- a) A "Counseling Letter" is not to be considered discipline.
 - b) A copy of the "Counseling Letter" must be forwarded to the Chief of Police or his/her designee.

D. Command Officers may choose to document a minor violation in writing in a "Letter of Memorandum."

1. A "Letter of Memorandum" that is written to document such performance should be specific as to the violation and the rule, regulation, etc. that was violated.
2. A copy of the "Letter of Memorandum" must be forwarded to the Chief of Police, or his/her designee.

- a) The letter will be placed in the employee's personnel folder.
- E. Command Officers may recommend the preferring of departmental charges when deemed necessary. Recommendations are to be made to the Chief of Police.

V. RELIEF FROM DUTY

- A. If a Command Officer feels that an employee under his/her direction is unfit for duty (physically, medically, emotionally or psychologically), the Command Officer may excuse the employee for the remainder of the tour.
- B. If an employee is excused from duty, he/she will retain all rights and privileges afforded under law, contract, etc.
- C. The Command Officer will notify (or cause to be notified) the Chief of Police prior to the relief, if possible.
- D. The Command Officer will submit a report of the actions taken and the reasons for same to the Chief of Police.
- E. If the possession of a firearm or other issued equipment by an employee is dangerous to themselves or others, said equipment will be secured from the employee, by the Chief of Police, or his/her designee.
- F. Under extreme circumstances where the employee's mental state is such that there is imminent danger of serious injury to self or others, any Command Officer must secure such equipment.
- G. The Command Officer will immediately advise the Chief of Police.
- H. The Chief of Police may order the employee to the police psychologist for evaluation prior to return to duty.
- I. In the event that the employee's weapon was secured due to the employee's behavior or condition the Chief of Police will order the employee to the police psychologist for evaluation prior to being re-issued a department service pistol and return to full duty.

NOTE: This order is not intended to circumvent any right or duty provided for in the collective bargaining agreement between the Town of Macedon and the Macedon Police Association, Inc. and Council 82. or applicable statutes and case law which apply to disciplinary actions--refer to Civil Service Law, Section 75.

By Order of the Chief of Police

John P. Colella

John P. Colella (Sep 19, 2019)

John P. Colella

Chief of Police

Dated this 19th day of September, 2019