



CITY OF MARICOPA POLICE DEPARTMENT

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Steve Stahl, *Chief of Police*

04/30/2019

Disciplinary Process

1. PURPOSE

- Maricopa Police Department (MPD) employees are committed to preserving the peace and serving all of the people in our community with respect, fairness, and compassion. We dedicate ourselves to maintain public trust by holding ourselves to the highest standards of performance and professional integrity; to be respectful of the dignity of all individuals; and to create a culture based on integrity, accountability, ethical decision-making, and respect for the civil and constitutional rights of all persons.
- MPD thoroughly records and promptly investigates all complaints, takes swift corrective disciplinary action when appropriate and protects the rights of the employees and the citizens of the community it serves.

2. RESPONSIBILITY TO REPORT VIOLATIONS

Employees

- Any employee observing, receiving information, or having personal knowledge concerning violations of criminal laws, ordinances, (except for minor traffic violations) court orders, rules, orders, policies, and/or procedures by any Department employee shall report the matter to a supervisor without unnecessary delay.

Supervisors

- Any supervisor observing, receiving information, or having personal knowledge concerning violations of any criminal laws, ordinances, (except for minor traffic violations) court orders, rules, orders, policies or procedures by any employee of this Department shall make an entry into Blue Team documenting any actions, information, or statements as observed, received or reported without unnecessary delay.
 - The Blue Team entry shall be forwarded to the subject employee's chain of command without unnecessary delay.

3. COMPLAINT INTAKE PROCESS

Complaint Guidelines

- Any and all complaint(s), to include anonymous, shall be accepted by any supervisor, at any police facility, the Mayor's Office, the City Manager's Office or City Council Offices.
- Complaints against Department service or policy shall be thoroughly investigated and quarterly reviewed by the professional standards unit.
- Complaints shall be investigated fairly and impartially to determine the validity of the allegations.
- A complaint shall not be initiated when it requires a court to adjudicate the legality of a complainant's arrest, citation, warrant or legality of seized evidence unless the employee is alleged to have engaged in an act of misconduct.

Member Responsibilities

- All complaints against MPD employees shall be accepted and entered into Blue Team or IAPro; whether or not it is initially determined the complaint may result in a Department Inquiry or Department investigation.



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- A complaint made against an employee shall be made to a supervisor of a higher rank than the subject employee.
- If a supervisor is unavailable, any employee taking a complaint shall forward it immediately to an available supervisor.
- The subject employee's Lieutenant shall be notified as soon as practicable.
- The Lieutenant shall then notify Professional Standards as soon as practicable.
- The Chief of Police will receive notification of personnel investigations through his routine review of the Blue Team/IAPro database. The Chief will receive immediate notification of a complaint against an employee, if the nature of the offense or violation has a high likelihood of the employee being terminated.
- The subject employee shall be notified of any allegation unless the notification will hinder the investigation.

Complaint Classification

- During the complaint intake process, complaints will be received by Professional Standards or by the subject employee's Chain of Command.
 - Complaints may be classified as a Department Inquiry (INQ) or a Formal Department Investigation (INV).
 - Department Inquiries do not result in discipline.
 - Formal Department Investigations can result in a form of discipline.
 - Professional Standards will review all Blue Team entries to determine if they will remain in the chain of command, as Command investigations, or will be assigned to Professional Standards.
 - As soon as an entry is made into Blue Team, Professional Standards will review it and assign a PSU tracking number in Blue Team.

Self-Admission Reporting (SAR) Process

- A minor complaint of employee misconduct may be quickly resolved with the use of the
- Self-Admission Reporting (SAR) Form, IA-105, as outlined in Self-Admission Reporting (SAR) Process.

4. DEPARTMENT INVESTIGATIONS

Administratively Closed

- This occurs when a Department Investigation is reviewed and further investigation does not take place due to:
 - Complaint resolved to complainants satisfaction. A complainant explicitly agrees he or she is satisfied with the information or referral provided.
 - Complaint alleging conduct that clearly does not violate law, ordinance, or policy. A complaint where the facts are undisputed, it is clear the alleged conduct does not violate law or policy, and the complainant is explicitly advised no further action will be taken.



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- Department lacks jurisdiction. A complaint of minor misconduct and the employee is no longer employed with the MPD.
- Untimely complaints of minor misconduct. A complaint of minor misconduct filed ninety (90) days after the incident, absent compelling reasons to the contrary. Compelling reasons include, but are not limited to, a language barrier, physical or mental disability, fear of retaliation or other reasonable explanation.
- Minor complaints where the complainant is unavailable. Minor complaints where the complainant is no longer available after sending a certified letter and three (3) documented attempts.
- Complaint was previously adjudicated. A complaint was previously investigated and adjudicated. For example, where more than one complaint is filed concerning an incident, outside of new facts or evidence.
- Complaints from persons with a demonstrated history of unfounded or non-meritorious complaints. This may occur when a single individual repeatedly files complaints that are either unfounded or lack substance, thereby diverting attention and resources from other complaints.

Non-Disciplinary Corrective Action

- A Department Investigation may result in non-disciplinary corrective action, which includes counseling memorandum, verbal coaching, training or workstation file documentation.

Required Submission by Employee

- The Chief of Police or designee may, at any time, order any employee to submit to any lawful technique or request, when relevant to secure evidence related to a legitimate business purpose, or related to the efficient operation of the Department.
 - When this occurs, the protocols outlined in [ADM 1.01 Professional Standards](#), shall be followed.

Command Investigations

- When a complaint is received by a subject employee's Command, which warrants a Department Investigation:
 - The affected supervisor shall initiate an entry into Blue Team.
 - Professional Standards will assign the Blue Team entry a PSU tracking number when it is entered.
 - The affected Chain of Command, in consultation with Professional Standards, will evaluate the complaint for investigatory responsibility.
 - If the complaint is assigned to the subject employee's chain of command to investigate, the Division Commander/Manager or designee shall:
 - Assign an investigator to investigate the complaint.
 - The investigator will ensure the complainant is notified.



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- Notify the subject employee that a complaint has been received and an investigation will be initiated via a NOI, IA-100, unless the nature of the complaint or investigation prohibits it, as determined by the Chief of Police or designee.
- Provide the subject employee with an admonishment, [IA-102](#)
- Upon completion of the investigation, the investigator will complete their investigation and attach it in Blue Team.
 - The investigator will document their actions on [Form IA-101](#) attached in Blue Team.
 - Only a short synopsis will be written in the summary section of Blue Team excluding names of employee(s) or complainant.
- The investigator will forward the completed investigation via Blue Team through the chain of command to the affected Division Commander/Manager.
- The affected Division Commander/Manager will provide comments, their recommended disposition and recommended disciplinary actions in Blue Team.
- The affected Division Commander/Manager will document his/her recommended disposition and recommended disciplinary actions on the [NOI, IA-100](#).
- If the discipline recommendation is 20 hours of suspension or greater the Division Commander/Manager will then forward it through Blue Team to the Chief of Police
- The Chief of Police will render final disposition and disciplinary action. For discipline of 20 hours or more, he/she may also add comments in Blue Team regarding concurrence/non-concurrence.
- The Chief of Police will forward the Blue Team entry to Professional Standards for inclusion into IAPro. He/she will forward the original [NOI, IA-100](#), with final disposition and disciplinary action, as well as a final signature to Professional Standards.
- Professional Standards will notify the complainant of the final disposition.
- Refer to attached [Command Investigations Flowchart](#) for further reference.

Professional Standards Investigations

- When a complaint is received by Professional Standards, which warrants a formal investigation:
 - A PSU tracking number will be assigned.
 - Professional Standards shall evaluate the complaint and determine investigatory responsibility.
 - If the complaint is assigned to Professional Standards, an IA investigator shall:
 - Be assigned to investigate the complaint.
 - Ensure notification is sent to the complainant.
 - Notify the subject employee a complaint has been received and an investigation will be initiated via an [NOI, IA-100](#), unless the nature of the



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complaint or investigation prohibits it, as determined by the Chief of Police or designee.

- Complete the written investigation and forward it to the affected Division Commander/Manager via Blue Team.
- The NOI, along with any other documents that cannot be uploaded into IAPro, will be forwarded to the affected Division Commander.
- The affected Division Commander/Manager will document his/her recommended disposition and recommended disciplinary actions on the NOI. He/she will sign it and forward the original NOI to the Chief of Police, if applicable.
- When applicable, the Chief of Police will render final disposition and disciplinary action. He/she may also add comments in the NOI regarding their concurrence/non-concurrence.
- The Chief of Police will forward the Blue Team entry to Professional Standards for closure in IAPRO. He/she will forward the original NOI with final disposition and disciplinary action as well as a final signature to Professional Standards to be attached to case in IAPro.

5. INVESTIGATION TIME LIMITS

General Guidelines

- Investigation timelines are completed in compliance with ARS 38-1110 with additional restrictions set by the Chief of Police.

Command Investigations

- All Command Investigations shall be investigated and a final investigative report shall, absent justifiable reasons, be completed within thirty (30) business days from the date the complaint was received, unless a written request for extension has been granted by a Commander.
- If a written extension is requested, the extension memo shall contain an explanation of why it is needed and the extension shall be for thirty (30) business days.
- If an extension of the investigation is granted, the subject employee shall be notified.
- A Department investigation shall not go beyond one hundred and eighty (180) calendar days without proper justification as outlined in ARS 38-1110.

Professional Standards Investigations

- All Professional Standards Investigations shall be investigated and a final investigative report shall, absent justifiable reason, be completed within one hundred and eighty (180) calendar days from the date the complaint was received, unless a written request for extension has been approved by the Chief of Police.
- If for justifiable reasons it is not possible to investigate the charge(s) within one hundred and eighty calendar (180) days, the Professional Standards investigator or designee shall notify the Chief of Police on Department memorandum.



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- If a written extension is requested, the extension memo shall contain an explanation of why it is needed and the extension shall be for thirty (30) business days.
 - If an extension of the investigation is granted, the subject employee shall be notified.

Investigating Criminal Allegations

- Concurrent administrative Department Investigations may be conducted at the discretion of the Chief of Police and in consultation with the MPD Legal Unit.
- Upon submittal of a concurrent investigation to the Prosecutor's Office for criminal review, Professional Standards may place an investigative hold on the internal investigation
 - In such cases, the Professional Standards investigator shall notify the Chief of Police.
 - Professional Standards shall also notify the subject employee unless the nature of the complaint or criminal investigation prohibits it, as determined by the Chief of Police or designee.

6. INVESTIGATIVE AND INQUIRY INTERVIEWS

Employee Responsibilities

- During Department Investigations and/or Department Inquiries, it shall be the duty and responsibility of each Department employee to truthfully, fully and directly answer any and all questions asked by a supervisor or investigator specifically, narrowly, and directly.
 - This includes questions relating to the employee's duties as an employee of the Department, investigations of violation of state and federal laws and/or local COM ordinances or any other political subdivision of the state of Arizona, and/or the fitness for duty of the employee of the Department.
- Failure to act as outlined above shall subject the employee to disciplinary up to and including termination.

Department Investigation Interviews

- If a Department employee is directed to appear and ordered to answer questions during a non-criminal Department Investigation, the employee will be informed of their role in the investigation prior to the interview (witness, subject, etc.) the interview shall be conducted in accordance with Department procedures set forth in this policy.
- All employees, regardless of their role, have the right to representation during an internal investigation interview and should be informed of this right prior to the interview to allow time to arrange for representation if so desired.

Professional Standards.

- Only Professional Standards and assigned Command investigators are authorized to record interviews during a Department Investigation.



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- Interviews shall be recorded via use of digital media only.
- The Professional Standards recording of an interview is the official Department record.

Subject Employee:

- An Admonishment, [IA-102](#), and NOI, [IA-100](#), shall be given to the subject employee prior to the start of the interview and the subject employee shall sign it indicating it has been read and understood.

Witness Employee:

- An Admonishment, IA-102 shall be given to the witness employee prior to the start of the interview and the witness employee shall sign it indicating it has been read and understood.

Employee's Representative:

- The subject employee's representative, other than his/her attorney, shall be given an Admonishment-Representative, [IA-103](#) prior to the start of the interview and shall sign it indicating it has been read and understood.

Criminal Investigations

- When an employee of the Department is questioned regarding any matter that may result in criminal proceedings, *Miranda Warnings* must be given at the same stage in the investigation as required for any other defendant.

7. ADJUDICATION PROTOCOLS

Administrative Reassignment

- At any time during the investigation process or disciplinary process, the Chief of Police or designee, may place an employee on administrative reassignment.
 - The Chief of Police or designee shall direct Professional Standards to facilitate the notification to the subject employee, the subject employee's Division Commander/Manager, and complete an NOAR, [IA-108](#).
 - Refer to [ADM 1.03 Administrative Reassignment & Disciplinary Suspension](#).

Mitigation Hearing/Memo

- A subject employee shall have five (5) calendar days from the date he/she was notified of a sustained recommended disposition where the recommended action is a written reprimand or higher to review the case investigation and request a Mitigation Hearing with the affected Division Commander/ Manager, or designee, or submit a written Mitigation Memorandum, or both.

Extensions:

- The subject employee may request an extension for an additional five (5) calendar days by submitting a written memorandum to the affected Division Commander/Manager or designee.



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- The request for extension may be approved by the affected Division Commander/ Manager or designee.
- The written request for an extension shall contain an explanation of why the extension is needed.
- A copy of the request for extension along with the corresponding approval or denial shall be forwarded to Professional Standards, and updated into IAPro.
- If an extension is granted, the subject employee shall be notified.
- All reasonable requests for extensions shall be granted.

Mitigation Hearing/Memo:

- Requests for a Mitigation Hearing shall be in writing addressed to the affected Division Commander/Manager or designee.
- The affected Division Commander/Manager or designee must receive the request for a Mitigation Hearing or the Mitigation Memo, or both, on or before the fifth (5th) calendar days or the employee's right to respond is waived.
- At the Mitigation Hearing, the subject employee is given an opportunity to present reasons, either orally or in writing (or both) as to why a proposed disciplinary action is not warranted.
- Once the affected Division Commander/Manager or designee meets with the employee, or if no Mitigation Hearing is requested at the end of the response period, he/she may issue a supplemental recommendation.
- Within five (5) calendar days of the Mitigation Hearing or receipt of the Mitigation Memo, or if a Mitigation Hearing is requested at the end of the response period, the affected Division Commander/Manager shall forward the recommendation along with the final investigative report for final disposition and action.
- All Mitigation Hearings shall be audio recorded.
 - The affected Division Commander/Manager shall audio record the hearing.
 - The subject employee may audio record the Mitigation Hearing.
 - The Division Commander/Manager's audio recording shall be considered the official Department record, and upload to the IAPro file.
 - If requested, a copy of the recording shall be furnished to the subject employee
- If for any reason the affected Division Commander/Manager is unavailable, the investigation shall move to the next level of review.
- Refer [to Mitigation & Pre-Deprivation Process Flowchart](#) for further.

Pre-Deprivation Hearing

- Upon a full investigation of allegations against a subject employee, his/her affected Division Commander/Manager or designee shall be responsible for adjudicating the charges, recommending findings and recommending a disciplinary penalty.



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- When a recommended disciplinary penalty of Suspension of more than twenty (20) work hours, Reduction in pay, Demotion or Dismissal is considered, the following steps of due process shall be followed:
 - The recommendation of discipline shall, absent justifiable reason, be made within ten (10) calendar days of receipt of the final investigative report with notification to the subject employee.
 - If for justifiable reasons it is not possible to render recommended findings of fact and penalty within ten (10) calendar days, the affected Division Commander/Manager or designee shall:
 - Submit a memorandum to the Chief of Police through the chain of command prior to the expiration of the ten (10) calendar days.
 - The memorandum shall include a written justification in support of extending the time-limit.
 - The subject employee must receive appropriate notification and a written memo explaining the charges and the opportunity to attend a Pre-Deprivation Hearing. The notice of [Pre-Deprivation Hearing Memo, IA-112](#), to the subject employee shall include the following:
 - Proposed disciplinary action.
 - Rule, policy, or procedures, which the subject employee allegedly violated.
 - Specific reasons for the proposed action.
 - Employee's opportunity to attend a Pre-Deprivation Hearing.
 - Time and place for the hearing.
 - The notice shall inform the subject employee of his/her right to refute the charges by filing a Pre-Deprivation Memorandum or by scheduling a Pre-deprivation Hearing (or both) with the affected Division Commander.
 - The notice shall include the right for the subject employee to have a representative present at the Pre-Deprivation Hearing, who shall be a disinterested party, and either an employee of the Department or an attorney.
 - The subject employee must be given no less than one (1) calendar day notice of the Pre-Deprivation Hearing.
 - Where dismissal is being considered, the employee must be given no less than a two (2) calendar day notice.
 - If the recommended disciplinary penalty does not exceed that allowed for appeal under the COM Personnel Rules, the subject employee does not have a right to a Pre-Deprivation Hearing, but may file a Mitigation Memorandum.
- Refer to [Mitigation & Pre-Deprivation Process Flowchart](#) for further.

Discipline Review Board



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- A Discipline Review Board (DRB) is scheduled at the discretion of the Chief of Police or designee.
- A subject employee may waive his/her right to a DRB unless the recommended disciplinary penalty is demotion or termination.
 - All waivers shall be in writing and submitted to the Division Commander/Manager of the DRB within three (3) calendar days after receiving notification of a DRB.
- All DRB hearings shall be audio recorded.
 - Only the DRB may audio record the hearing.
 - The DRB audio recording shall be considered the official Department record, and uploaded into IAPro.
 - A copy of the audio recording may be furnished to the subject employee.
- At the DRB hearing, the subject employee may bring a representative.
 - The representative shall be an employee of the Department or an attorney.
 - The representative shall participate only as an observer during the DRB hearing.
 - The subject employee, representative, or attorney shall be given an opportunity to provide a closing statement at the conclusion of the DRB hearing.
- At any point in the DRB proceedings, the case may be remanded to Professional Standards or the subject employee's Command for further investigation as the DRB deems necessary.
 - If the DRB deems that further investigation is necessary, the DRB shall establish the investigative time limit and notify Professional Standards or the subject employee's Command of the investigative time in writing.
- The DRB shall recommend a finding and disciplinary penalty signed by members of the DRB.
 - The DRB shall consider the final investigative report and the subject employee's Professional Standards history in determining the appropriate disciplinary penalty.
 - The recommendation shall be in writing on a memorandum and submitted to the Chief of Police for final review.
- The DRB shall notify the subject employee in writing of the DRB's recommendation within three (3) calendar days after the completion of the DRB's report.

Merit Board Appeal (City of Maricopa Personnel Policies and Procedures Chapter 2)

- **Appeal to the Merit Board 2.2.4:** "Any regular employee in the classified services will have right to appeal to the Merit Board any disciplinary action by the City which involves termination, demotion, suspension without pay for work hours that exceed a pay period (80 hours), or disciplinary deduction in pay..."
- **Methods of Merit Board Appeal 2.2.5:** "Appeal to the Merit Board will be in writing, signed by the appellant, and filed with Human Resources Director within fourteen (14) days of the action being appealed to the Merit Board."



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- “The appeal will be a written statement, addressed to the Merit Board, explaining the matter appealed and setting forth therein a statement of action desired by the appellant, with his/her reason therefore.”
- “Failure to file the appeal on time will constitute a waiver, and the decision will become final.”

8. DISPOSITION AND DISCIPLINE

Disposition

- The following dispositions/findings are recognized for Department investigations concerning MPD employees:
 - Unfounded
 - Exonerated
 - Not Sustained
 - Sustained
 - Policy Failure
 - Administratively Closed

Discipline

- The following discipline penalties are recognized for Department investigations concerning MPD employees:
 - Remediation (Corrective action plan)
 - Written Reprimand
 - Disciplinary Probation
 - Disciplinary Suspension
 - Disciplinary Reduction in Pay
 - Disciplinary Demotion
 - Termination

9. FINAL DISPOSITION OF INVESTIGATIONS

Command Investigations

- If recommendation of **Exonerated, Not Sustained, Policy Failure, or Unfounded**:
 - The Professional Standards Investigator shall:
 - Document recommended disposition on [NOI, IA-100](#)
 - Complete an investigatory supplement report on [IA-101](#), justifying recommendation and attach the document in the Blue Team entry.
 - Shall confer with the affected Commander/Manager;
 - Forward original NOI and Blue Team entry to affected Commander to concur/not concur.



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- The affected Commander will document concurrence/non-concurrence on NOI IA-100, and forward, along with the Blue Team entry, to Professional Standards for inclusion into IAPro.
- Ensure notification of the final disposition to the affected chain of command and the subject employee.
- Professional Standards will notify the complainant.
- If recommendation of **Sustained**:
 - The affected Division Commander/Manager shall:
 - Notify subject employee of his/her recommended disposition and disciplinary penalty through the [Notice of Mitigation Hearing, IA-110](#).
 - Complete an investigatory report on [IA-101](#), justifying recommendation.
 - Forward original [NOI, IA-100](#), Notice of Investigation and Blue Team entry to Chief of Police, if applicable.
 - If the recommended sustained discipline is Suspension of twenty (20) hours or less, Written Reprimand or Remediation:
 - The Commander /Manager will document concurrence/non-concurrence on NOI, IA-100, and forward, along with the Blue Team entry, to Professional Standards for inclusion into IAPro.
 - Professional Standards will ensure notification of the final disposition to the affected chain of command, the subject employee, and the complainant.
 - If the recommended sustained discipline is Suspension of more than twenty (20) hours, 1-Year of Disciplinary Probation, Disciplinary Demotion, Disciplinary Reduction in Pay or Termination:
 - The Commander/Manager shall review the investigation and schedule the required Pre-Deprivation Hearing.
 - The Commander/ Manager shall discuss the final discipline with the Chief of Police.
 - The Chief of Police shall concur/not concur with the final discipline and/or may order a DRB.
 - If a DRB is convened, the Chief of Police will review for final discipline at the conclusion of the DRB
 - The DRB will notify the subject employee of the final discipline.
 - Professional Standards shall notify the complainant and enter into IAPro.
 - If a DRB was not utilized, the Commander/Manager shall forward the final report and final discipline to Professional Standards.



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- Professional Standards shall ensure notification of the final discipline to the affected chain of command, the subject employee and the complainant.

Professional Standards Investigations

- If recommendation of Exonerated, Not Sustained, Policy Failure, or Unfounded:
 - Professional Standards investigation shall:
 - Document recommended disposition on [NOI, IA-100](#).
 - Complete an investigatory report on [IA-101](#), justifying recommendation, upon conferring with the Commander/ Manager.
 - Notify affected Division Commander/Manager of recommended disposition and forward the investigation via IAPro to the affected Division Commander.
 - The affected Division Commander/Manager shall concur/not concur with the recommended disposition and render, if any, a recommended disciplinary action.
 - The affected Division Commander/Manager will document any comments regarding his/her concurrence/non-concurrence on [NOI IA-100](#).
 - The affected Division Commander/Manager will document his/her recommended discipline, if any, on the NOI, IA-100 and forward to Professional Standards or entry into IAPRO.
 - The Commander/Manager will forward the investigation the original NOI and any additional forms to Professional Standards.
 - Professional Standards shall ensure notification of the final disposition to the affected chain of command, the subject employee and the complainant.
 - If the final disposition results in a Policy Failure, PSU will notify the Training Officer.
- If recommendation of **Sustained**:
 - If the recommended sustained discipline is Suspension of twenty (20) hours or less, Written Reprimand or Remediation:
 - The Commander/Manager shall:
 - Notify subject employee of his/her recommended disposition and disciplinary penalty through the Notice of Mitigation Hearing, IA-110.
 - Document any additional comments regarding concurrence/non-concurrence on NOI IA-100.
 - Document the recommended discipline, if any, on the NOI, IA-100
 - The affected Division Commander will then forward the investigation via Blue Team.
 - The Commander shall forward the investigation to Professional Standards for entry into IAPro. The original NOI and any additional forms will be sent to Professional Standards.



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- If the recommended sustained discipline is Suspension of more than twenty (20) hours, 1-Year of Disciplinary Probation, Disciplinary Reduction in Pay, Disciplinary Demotion, or Termination:
 - The affected Commander shall review the investigation and schedule the required Pre-Deprivation Hearing using [Pre-Deprivation Hearing Memo IA-112](#).
 - The affected Commander shall discuss the final discipline with the Chief of Police.
 - The Chief of Police shall concur/not concur with the final discipline and/or may order a DRB.
 - If a DRB is convened, the Chief of Police will review for final discipline at the conclusion of the DRB.
 - The DRB will notify the subject employee of the final discipline.
 - Professional Standards shall notify the complainant and enter into IAPro.
 - If a DRB was not utilized, the affected Commander shall forward the final report and final discipline to Professional Standards.
 - Professional Standards shall ensure notification of the final discipline to the affected chain of command, the subject employee and the complainant.
 - The affected Commander shall forward the investigation to Professional Standards for entry into IAPro.
 - The original NOI and any additional forms will be to Professional Standards.
 - Professional Standards shall ensure notification of the final disposition to the affected chain of command, the subject employee and the complainant.
- If the final disposition results in a Policy Failure, the Training Officer will be notified.

10. CRIMINAL INVESTIGATIONS

General Guidelines

- At the completion of the investigation:
 - If the investigation results in no evidence of criminal misconduct, the criminal investigation is closed and the Professional Standards investigation continues or is started.
 - If the investigation results in probable cause, the investigation is submitted to the appropriate prosecutor's office for review.
 - If prosecution is declined by the victim, a turndown is received from the Prosecutor's Office, a misdemeanor compromise or diversion program is conducted, or a verdict of not guilty is rendered, the criminal investigation is closed, however the Professional Standards investigation continues and the Chief of Police reviews for final disposition.



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- If the criminal investigation results in prosecution, the Professional Standards investigation shall be completed and the Chief of Police reviews for final disposition.

11. RECORDS SECURITY AND RETENTION [52.1.2]

- MPD records are maintained securely by IAPro.
 - Additional users and licenses shall be approved by the CID Sergeant
- Retention of Internal Affairs records complies with City of Maricopa Records Management Program pursuant ARS 41-1246 and City Ordinance 07-03 as well as [ADM 2.90 Records Retention](#).

12. SEXUAL HARASSMENT

- The City of Maricopa defines sexual harassment as “Behavior directed at an individual due to gender that is not welcome, that is offensive, demoralizing, and/or interferes with work effectiveness. It may be conduct toward an individual of the opposite sex, or the same sex and it may occur between peers or between individuals in a supervisor/staff member relationship.” For additional information, refer to [COM 438-16 Anti-Harassment](#)
- If a member of the Maricopa Police Department feels they experience sexual harassment or discrimination, they are encouraged to follow the procedures outlined in [COM 438-16 Anti-Harassment](#)
 - If the harassment or discrimination occurs within by an individual in the member’s chain of command, they are encouraged to report the directly to Human Resources or submit the complaint directly to the City Attorney’s Office

13. ANNUAL EVALUATION

- An annual evaluation will be completed of the Internal Affairs policies and procedures.
- An annual evaluation will be completed for the Personnel Early Warning system.