



Sioux Falls Police Department

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Policy: Disciplinary Procedures	Related Policies: Officer Standards – Conditions of Employment; Discharge, Suspension or Reduction of Employee	Section #: 100 Standards / Conditions of Employment
		Policy #: 106
		Effective: 3/2021
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<i>This policy is for internal use only and does not enlarge an employee’s civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can be used as basis of a complaint by this department for nonjudicial administrative action in accordance with the laws governing employee discipline.</i>		
Policy Owner: ASD		
Reference:		
Sensitivity Level: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Law Enforcement Eyes Only		

1. Purpose:

1.1. This policy is written to outline the disciplinary actions taken against employees of the Sioux Falls Police Department.

2. Policy:

2.1. With the exception of verbal reprimands, all disciplinary action administered by this department shall be documented on an Employee Incident Report. This includes everything from written reprimands to dismissals.

3. Procedure:

3.1. Employee Incident Reports

3.1.1. The Employee Incident Report can be found on InSite – Support Services – Human Resources – Civil Service. The following information should be included:

- 3.1.1.1. A summary of the investigation of the incident.
- 3.1.1.2. A complete factual narrative of the allegation.
- 3.1.1.3. A complete narrative of the results of the investigation.
- 3.1.1.4. A reference to the specific policy (s) violated, applicable City ordinance provisions, and recommended disciplinary action.

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3.2. Disciplinary Hearings

- 3.2.1. Whenever the recommended discipline is a suspension, demotion, or discharge (termination of employment), the Predetermination Hearing Notice/Appeal Rights form shall be printed and completed. This form is found on InSite with the Employee Incident Report. This form is not needed if the recommended discipline is a written reprimand.
 - 3.2.2. The disciplinary hearing will be held during the employee's normal duty time whenever possible or reasonable.
 - 3.2.3. If the employee is a member of a bargaining unit, he will be advised that they are permitted to have a union steward attend the hearing.
 - 3.2.4. The hearing officer is not required to tape record the hearing; but if the employee requests it to be recorded, then a recording will be made. Recordings will not be allowed during a hearing unless everyone in the hearing is advised of the existence of the recording device.
 - 3.2.4.1. After the hearing is conducted, documentation of the outcome of the hearing should be attached or added to the Employee Incident Report. This documentation should include the date and time of the hearing, names of all members present for the hearing, a summary of the hearing discussion, and the conclusion and outcome of the hearing.
 - 3.2.5. The Chief of Police will hear all matters where a recommendation for more than fifteen (15) days suspension, or the dismissal of an employee is received from a supervisor.
 - 3.2.6. Division Commanders will hear all matters where a suspension of up to fifteen (15) days has been recommended. In any case where the employee may be required to participate in the Employee Assistance Program, the Division Commander will be the hearing officer.
 - 3.2.7. Section Commanders/Shift Commanders (Lieutenants) will hear all matters where reprimands or one (1) day suspensions have been recommended.
- 3.3. Disciplinary action taken against an employee involving written reprimands, suspensions, or dismissals will be maintained in the officer's file by the Professional Standards Unit in the administrative reporting software; currently IA Pro.

- 3.4. Access to personnel files will be limited to Division Commanders and the Chief of Police and Assistant Chief of Police. Section Commanders/Shift Commanders will consult with their respective Division Commanders prior to holding a hearing for information on the disciplinary history of the employee.
- 3.5. Compensatory time, vacation, and personal leave will not be used to cover ordered suspensions.
- 3.6. Verbal Reprimands
 - 3.6.1. Are to be documented on a departmental interoffice.
 - 3.6.2. Are to be handled at the section/shift level.
 - 3.6.3. Are intended as minor corrective guidance for employees who are not in compliance with established practice or policy.
 - 3.6.4. Are submitted to the Chief of Police for review before being submitted to the employee.