



Use of Force Recommendation 13

*Professional Standards to Consider Past
Disciplinary History*



Agenda

- Objective
- Recommendation Highlights
- Current Practice
- Regional Trends
- Discussion Points
- Final Guidance
- Discussion





Objective

Should investigators consider an officer's disciplinary history during the investigation phase of the complaint process.



Recommendation Highlights

Professional Standards investigator should review an officer's past history regarding Use of Force or other policy violations to grasp issues that may be occurring with a particular officer and hinders the case agent in planning and executing an interview that is meaningful.

Richard Romley

Current Practice

Investigator Responsibilities:

- One individual should be accountable for all aspects of the investigation
- Serves as point of contact with the complainant
- Maintain the case files and documentation while the case is open
- Must ensure the confidentiality of the investigation
- Update command staff as necessary
- Conduct a thorough and objective investigation that conforms to policy and law
- Interview involved parties
- Provides a detailed and factual summary

Current Practice

Progressive Discipline:

- The employee's past disciplinary record is reviewed to determine if it should have any factor on the amount of any new discipline to be imposed
 - Had previous actions been utilized to correct similar behavior or modify an employee's performance

Regional Trends

Consideration of Disciplinary Record	During Investigation	During Discipline
Phoenix PD		X
Tempe PD		X
Scottsdale PD		X
Chandler PD		X

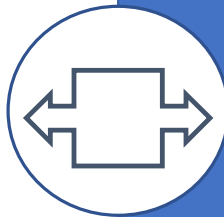
Discussion Points

*List the reasons **for** adopting the recommendation*

- Consideration for PS to investigate repeated violations

*List the reasons **against** adopting the recommendation*

- The investigator must remember to always be objective and impartial
- Administrative questioning must specifically and narrowly focused based on new allegations
- Questioning an employee to previously adjudicated cases
- Disciplinary history is currently evaluated when rendering discipline



Final Guidance

- Reject the recommendation to require the Professional Standards investigator review an alleged member's disciplinary history during the investigation phase of the complaint process.
- Keep the process of considering a member's disciplinary history during the adjudication process when discipline is being recommended.



Discussion