



# Use of Force Recommendation 13

*Guidance for: Professional Standards to  
Consider Past Disciplinary History*



# Agenda

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





# Objective

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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

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## 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

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## 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 training or some other intervention been imposed to correct similar behavior

# Regional Trends

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

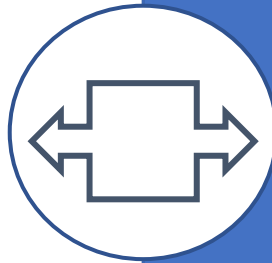
# Discussion Points

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

- PS to consider repeated violations during the interviews and investigations

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

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





# Committee Feedback

- Committee members had mixed opinions on the recommendations.
  - Belief that information is relevant when imposing discipline.
  - Belief that information should be known at time of interview to depose employee's for false statements.



# 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