



4. General conduct subject to disciplinary action by any member or employee of the CSU Los Angeles Police Department includes:
  - a. personal actions that reflect against the reputation of the Department or the University;
  - b. any offense punishable under the laws or statutes of the United States, the State or local University regulations;
  - c. violations of any provision of the rules and regulations of the Department;
  - d. disobedience of any lawful order; or
  - e. incompetent performance of assigned duties.
5. Specific conduct subject to disciplinary action
  - a. In concert with California State University rules and Education Code Section 89535, a member of the Department may be made the subject of disciplinary action whenever a member's conduct so warrants.
  - b. Examples of conduct which may result in disciplinary action include, but are not limited to, the following:
    - 1) The commission of a crime.
    - 2) Use of intoxicants in violation of the rules and regulations of this Orders Manual.
    - 3) Illegal use of narcotics or drugs.
    - 4) Willful neglect of duty.
    - 5) Willful disobedience of orders.
    - 6) Absence from duty without leave.
    - 7) Conduct unbecoming an officer.
    - 8) Use of unreasonable and unnecessary force.
    - 9) Sleeping on duty.
    - 10) Accepting or soliciting a bribe.
    - 11) Soliciting gratuities.
    - 12) Use of police badge, uniform, business card or identification card for personal gain.
    - 13) Aiding and abetting a prisoner to escape.
    - 14) Appropriating for one's own use property, evidence, or items received in the course of duty.
    - 15) Falsification of reports, official records, or communications.
    - 16) Divulging confidential information that may be detrimental to an investigation or another person without first obtaining consent from a supervisor.
    - 17) Feigning sickness or injury to escape duty.
    - 18) Willful rough and careless handling of State property.
    - 19) Moral turpitude
6. Identifying acts of misconduct - Acts of misconduct by Department members are brought forward through the following means:
  - a. Complaints by citizens.
  - b. Complaints by other Department members.
  - c. Observations by supervisory members of the Department.
  - d. Findings arising from audits or investigations.

- e. Complaints and/or information received from other law enforcement or criminal justice agencies.
  - f. Complaints against Department members will be handled in accordance with General Order 2-1.
7. Specific role of supervisors and authority attendant to each level of supervision and command relative to disciplinary actions.
- a. Disciplinary actions available – When corrective action is indicated by the finding, one or more of the following actions may be taken by the Chief of Police subject to the provisions of the California State University, California Education Code and when necessary, the approval of the President and/or the Chancellor of the California State University.
    - 1) Counseling. (Written Documentation)
    - 2) Training.
    - 3) Oral reprimand.
    - 4) Written reprimand.
    - 5) Suspension.
    - 6) Demotion.
    - 7) Dismissal from the Department.
    - 8) Departmental authority for disciplinary action.
  - b. Final department disciplinary authority and responsibility rests with the Chief of Police.
  - c. First-line supervisory personnel may administer one or more of the following:
    - 1. Counseling.
    - 2. Training.
    - 3. Oral reprimand.
    - 4. Written recommendations for other disciplinary actions.
  - d. It is recognized that any supervisor may directly discipline (excluding, suspension, demotion, or termination) an employee of lesser rank or classification for an observed infraction, regardless of the employee's direct chain-of-command. Whether the supervisor exercises this authority or relays the information to the employee's direct chain-of-command will be contingent upon the circumstances.
  - e. Observed infractions committed by an employee of equal or higher rank or classification shall be directed to the reporting employee's supervisor.
  - f. Officer-in-Charge [O.I.C.] may not initiate any actions, but may make recommendations to the immediate supervisory.
8. Relief from duty.
- a. In case of a situation in which the possibility of proposing termination, suspension, or demotion of a permanent employee is indicated, but where the Department needs time to conduct an investigation before proposing such action, or in a situation where immediate removal of an employee from the job is needed to avoid disruption of work for the protection of persons or property, or for similar reasons, the employee may be relieved of duty with pay.
  - b. Normally, the highest-ranking supervisor on duty shall have the authority to invoke this regulation in situations of disruption, although it is recommended

- that administrative review be sought in advance when time permits. Supervisors invoking this regulation should be prepared to justify fully their actions and shall notify the Chief of Police at the earliest opportunity.
- 1) The Chief of Police shall determine if this regulation is to be invoked in situations where an investigation is to occur.
  - 2) Nothing in this regulation shall give supervisors of this Department the authority to relieve from duty or escort from campus employees of other departments, although officers may be called upon to assist supervisors of other departments to enforce management rights.
- c. Informing the person being disciplined – The member or employee being disciplined will be informed of the charges and penalties assigned at the time such action is taken.
9. Appeals from penalties. – Appeals from penalties imposed as disciplinary measures may be taken as provided in California State University personnel procedures.
- a. It is recognized that employees may disagree with a personnel related process or some element of a document. In addition to the automatic administrative review system, which also allows the employee to make specific remarks and offer individual perceptions, a system of appeal and/or grievance exists.
  - b. Employee appeals are not required to be related to any article found within the SUPA or CSEA agreements. It is the intent of this section to attempt to work out employee disputes internally, without processing through Human Resources.
    - 1) Appeals of proposed suspensions, demotions, or terminations shall be made first to the reviewing supervisor and through the chain-of-command to the Chief.
    - 2) Appeals of performance evaluations shall be made to the reviewing supervisor. If the Chief initiated the action, the employee may file a rebuttal with Human Resources. Appropriate administrative action will be determined at that office.
    - 3) Appeals of letters of counseling/reprimands, guidance/discipline forms and other processes shall be made to the reviewing supervisor.
    - 4) Appeals beyond the internal levels, specified above, shall be filed with the Human Resources. Appropriate administrative review and action will be directed from that office.
10. Completion, endorsement and forwarding of disciplinary reports.
- a. Each level in the chain of command must endorse and forward reports bearing on disciplinary matters received.
  - b. Such endorsement may be one of approval, disapproval, or recommendation for modification.
  - c. No member or employee will alter or cause to be altered facts or elements in the disciplinary report.
  - d. Disciplinary reports in transit through the chain of command will not be delayed but must be reviewed, endorsed and forwarded as soon as possible.
  - e. All interviews completed while conducting a disciplinary investigation shall be recorded. The recording(s) shall be submitted with the investigative reports.

- f. Investigative supervisors may make recommendations as to the adjudication of the investigation; however the investigative supervisors and the command staff shall not recommend a penalty in reports forwarded to the Chief of Police.
11. Use of counseling and training.
    - a. Counseling and training are intricate parts of the discipline process.
    - b. For first time minor infractions Supervisors should document that the employee has been counseled about the incident.
      - 1) This counseling will be documented utilizing a written memorandum.
      - 2) Counseling memorandums will be placed in the Employee's department personnel file but will not be forwarded to Human Resources.
      - 3) Counseling memorandums will be removed from the employee's department file, if there is no reoccurrence of any related performance problems, after 1 year.
    - c. Remedial training can help to ensure that disciplinary issues that may be related to insufficient training do not reoccur.
      - 1) Any employee, sworn or nonsworn, may request remedial training in a function or practice in response to a disciplinary investigation or action.
      - 2) Immediate supervisors may at anytime suggest remedial training in specific relation to a forwarded disciplinary action.
      - 3) Immediate or other supervisors of higher rank and authority may conduct remedial training on a practice/procedure as a method of reducing disciplinary actions before they are necessary.
  12. If a non-probationary employee's misconduct results in dismissal, the following information will be provided to the employee:
    - a. A written statement citing the reason for dismissal;
    - b. The effective date of the dismissal;
    - c. A statement of the status of fringe and retirement benefits after dismissal.
  13. Maintenance of records of disciplinary actions.
    - a. All disciplinary records, with the exception of Counseling Memorandums, will be forwarded to Human Resources for inclusion in the employee's permanent personnel file.
    - b. Copies of records forwarded to Human Resources will be maintained in the employee's department personnel file, which will be maintained in the Chief's office.
    - c. No records of discipline may be placed in an employee's file that does not have the employee's signature attached. If the employee refuses to sign acknowledging receipt, the supervisor will note this and sign and date the item.
    - d. Disciplinary records may not be purged from an employee's personnel file without the approval of the Chief of Police.

Attachments: None.

