



City of Racine Police Department
Policy and Procedure

Number: 500

Subject: 500 Series and Definitions and Guidelines		
Date Issued: 03-30-2001	Date Revised: 05-10-2016	Revision Number: 2

PURPOSE

To define terminology contained in the “500” series and to provide formats for the proper preparation of Complaint Reports and Discipline Reports.

DEFINITIONS

Unfounded – is the judgment rendered when the alleged misconduct did not occur. The complaint is without foundation.

Unsubstantiated – is the judgment rendered when the investigation failed to prove, or disprove the allegations of misconduct. A preponderance of the evidence does not support substantiation of the complaint.

Substantiated – is the judgment rendered when allegations of misconduct are supported by sufficient evidence.

Exonerated – is the judgment rendered when it is established that the incident did occur, however, the actions of the officer were lawful and proper.

Coaching – is an entry on the member’s Work Record that reflects contact between a supervisor and a member. The entry is not a form of discipline. It does document that the member was coached and/or mentored on some aspect of job performance, not serious enough to warrant discipline.

DISCIPLINE TYPES

COMMAND DISCIPLINE

Warning - is a written warning proposed and prepared by Shift or Unit Commander, approved by the Division Commander, and removed from the member’s active Work Record three years after the occurrence. This level of discipline may be appealed to the Chief of Police.

Reprimand - is a written reprimand proposed and prepared by Shift or Unit Commander, approved by the Division Commander, and removed from the member’s active Work Record three years after the occurrence. This level of discipline may be appealed to the Chief of Police.

Loss of Time - is a written reprimand, with a reduction of paid time off up to 24 hours, as a method of discipline proposed and prepared by Shift or Unit Commander, approved by the Division Commander, and removed from the member’s active Work Record three years after the occurrence. This level of discipline may be appealed to the Chief of Police.

Change of Assignment - is a written reprimand with change of work assignment as a method of discipline, proposed and prepared by Shift or Unit Commander, approved by the Division

Commander, and removed from the member's active Work Record three years after the occurrence. This level of discipline may be appealed to the Chief of Police.

CHIEF'S DISCIPLINE

Suspension Level 1 - is a suspension of 15 days or less, removed from a member's active Work Record five years after the occurrence. Chief's Discipline may be appealed to the Police and Fire Commission.

Suspension Level 2 - is a suspension of 16 days or greater, kept in a member's active Work Record indefinitely. Chief's Discipline may be appealed to the Police and Fire Commission.

Demotion - is a demotion in rank, kept in a member's active Work Record indefinitely. Chief's Discipline may be appealed to the Police and Fire Commission.

Recommendation to Terminate Employment - is a Recommendation to the Police and Fire Commission to terminate employment, kept in a member's active Work Record indefinitely. Chief's Discipline may be appealed to the Police and Fire Commission.

ATTACHMENTS

- Attachment A: Complaint Report Format (pages 2 and 3)
- Attachment B: Preparing Discipline Reports (page 3)

RELATED PROCEDURES

- [400 - Rules of Conduct](#)
- [501 – Reporting Violations Observed by a Supervisory Officer](#)
- [502 – Reporting Violations Observed by a Non-supervisory Officer](#)
- [503 – Review of a Supervisor's Complaint Report](#)
- [504 – Preparation of Charges and Specifications](#)
- [505 – Processing Civilian Complaints Against Department Members/Employees](#)
- [506 – Appeal of Chief's Discipline](#)
- [507 – Order of Suspension/Surrender of Equipment](#)
- [508 – Internal Affairs](#)
- [509 – Citizen Complaints](#)
- [510 – Order of Administrative Leave/Surrender of Equipment](#)
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ATTACHMENT A:

COMPLAINT REPORT FORMAT

Section: 1

Title: **INVESTIGATED BY:**

Contents: Who investigated the complaint and under whose direction.

Section: 2

Title: **COMMUNICATION / ALLEGATION:**

- Contents: a. How and when was the complaint received
b. Summarize the incident that prompted the complaint.
c. List any arrests.
d. Number and list the specific allegations. (What did the member [s] allegedly do wrong)

Section: 3

Title: **DEPARTMENT RECORDS:**

- Contents: a. Arrest record of the complainant, persons arrested, or witnesses
b. What do department records indicate occurred (Summarize).
c. Other information which is pertinent.
d. Review of audio tapes from RCCC or MVRE tapes.

Section: 4

Title: **MEMBERS INVOLVED:**

- Contents: a. List Members directly involved:
1.) Name
2.) Payroll Number
3.) Date of hire
4.) Department awards
5.) Department discipline,
b. List other members indirectly involved:
1.) Name
2.) Payroll Number.

Section: 5

Title: **INTERVIEW OF THE COMPLAINANT:**

- Contents: a. Who is being interviewed, where, when, and by whom.
b. Summary of the interview, including all pertinent information.

Section: 6

Title: **INTERVIEW OF WITNESSES:**

- Contents: a. Who is being interviewed, where, when, and by whom.
b. Summary of the interview, including all pertinent information.
c. List each interview separately.

Section: 7

Title: **INTERVIEW OF MEMBERS:**

- Contents: a. Who is being interviewed, where, when, and by whom.
b. Summary of the interview, including all pertinent information.
c. List each interview separately.

Section: 8

Title: **FINDINGS / RATIONALE:**

Contents: Results of the investigation. Findings must be consistent with the facts presented in the report: i.e.,

Allegation # 1 – Substantiated, Unsubstantiated, Unfounded or Exonerated. The rationale for the findings must be included.

Allegation # 2 - “ “ “

Section: 9

Title: **RECOMMENDATION:**

Contents: Recommend what disciplinary action, if any, should be taken as a result of the investigation and forward recommendations to the Division Commander for Review.

ATTACHMENT B

PREPARING DISCIPLINE REPORTS

All discipline reports must be prepared in a manner that ensures the rights of members, as enumerated in § 62.13 (5), are preserved and protected. Any discipline imposed on a member must satisfy the member's just cause and due process rights. In order to ensure that the seven standards of just cause are met in each instance when discipline is imposed, the Discipline Report (PP-142) and Charges and Specifications (PP-143) will be written using the guidelines contained in this addition to Procedure #500.

The following is the preferred framework for a narrative in a Discipline Report (PP-142). (The Just Cause test that each bullet answers is noted.)

1. A **complete investigation** into this **allegation (Rule Violation)** was conducted by **(Supervisor's name and PR #)** acting on the orders of (Commander's Name and PR #) encompassing **(approximate time frame)**.
(Test 3)
2. *Summarize specific facts (who, what, when, where, why) of the incident. (Test 5)*
3. *Include of summary of the interview/discussion with the member. For example, "I discussed this incident with you on (date) and your response was..." (Test 4). You made no statements identifying similarly situated individuals. (Test 6)*
4. *"You were aware of these rules because..." (Member has been employed by the department for "x" years and/or worked in the member's current capacity for "x" years or months, etc. (Test 1)*
5. *"Your prior disciplinary history includes..." (Test 7)*
6. *"It is reasonable to expect that police officers will obey this rule because..." (Test 2)*
7. *"Therefore, the penalty for the Rule Violation is..."*
8. *"Future misconduct may result in discipline up to and including discharge." (Test 1)*