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2024 CORRECTIVE ACTION POLICY

PROCESS

CDP sends draft Corrective Action Guidance GPO to CPC. (Jan ‘24)

Police Accountability and Police Policy Committees work together on reviewing and updating the GPO.

Piet, Shandra and CPC Staff work with community members Kayla Pincus and Sgt. Richard Jackson to create a draft. (Sept ‘24)

Shandra and Piet meet with CDP to get feedback on draft and incorporate some of their feedback. (Sept-Oct ‘24)

Draft is brought to Police Policy Committee (with accountability members invited) to review and vote on policy. (Nov 24)

GPO is passed by full commission. (Nov ‘24)

DOJ/Monitoring Team provides feedback and Shandra and Piet work to incorporate feedback.

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GOALS OF THE NEW CORRECTIVE ACTION POLICY

1

Increase fairness and accountability in discipline by reducing discretion in choosing violation levels.

2

Simplify discipline process for lowest level violations by creating “Non-disciplined violations” category.

3

Updates to discipline matrix and changes in where certain violations are grouped.

LEVELS OF VIOLATIONS

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2. A foundational purpose of this policy is to explicitly define which penalties will be administered so that officers know exactly what the ramifications are for their behaviors – to take out the unnecessary unknowns in their day-to-day work. While the violation list is not all-inclusive – as every possible infraction cannot be predicted – the penalties shall remain consistent with the ranges listed in this policy, including the application of mitigation or aggravation.

- Secondary employment, unauthorized
- Social media policy violations *(as defined in Group I violations)*
- Tactics; violation of training *(as defined in Group I violations)*

- Social media policy violations *(as defined in Group II violations)*
- Tactics; violation of training *(as defined in Group II violations)*

- Social media policy violations *(as defined in Group III violations)*
- *Soliciting preferential treatment not extended to the public.*
- Tactics; violation of training *(as defined in Group III violations)*

From original CDP draft

LEVELS OF VIOLATIONS

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A Group I Violation is conduct that has a negative impact on the operations or professional image of the Division or that negatively impacts relationships with other officers, agencies or the public.

A Group II Violation is conduct that is contrary to the values of the Division, or that interferes with its mission, operations or professional image, or that involves a demonstrable serious risk to officer or public safety.

A Group III Violation is conduct that involves a serious abuse or misuse of authority, unethical behavior, or an act that results in an actual or serious and adverse impact on officer or public safety or to the professionalism of the Division. Any violation of law, rule, policy or training that could reasonably be expected to result in serious physical harm to another person; constitutes a willful and wanton disregard of Division values; or involves any act that demonstrates a lack of the integrity, ethics or character related to an officer's fitness to hold the position of police officer; involves egregious misconduct substantially contrary to the standards of conduct reasonably expected of one whose sworn duty is to uphold the law; or involves any conduct that constitutes the failure to adhere to any contractual condition of employment or requirement of certification mandated by law.

A Group IV Violation is the most egregious and heinous misconduct, including conduct that could reasonably be expected to result in the death of another person, and/or exceeds the descriptive criteria of a group III violation or involves any conduct which constitutes the failure to adhere to any contractual condition of employment or requirement of certification mandated by law. Group IV violations carry the presumption of termination from the division.

NON-DISCIPLINED VIOLATIONS

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Non-Disciplinary Action may take one of the following forms:

- **Coaching:** A process that is designed to assist individuals in making changes to further their professional development. Coaching could include additional time with a supervisor or peer group covering an area of performance deficiency or explaining a rule.

- **Verbal Counseling**: A formal discussion between the supervisor and the member where the member is advised and cautioned about unsatisfactory work performance or irregularities. Documentation of the Verbal Counseling shall be noted by completing a pre-structured Form-1 (Attachment A) titled Verbal Counseling (followed by the member's name/badge number) and forwarded through their chain of command in Division tracking software (with all associated reports) to the Chief's Office.

- **Letter of Reinstruction:** Any instruction or guidance issued by the Chief of Police to the member, where the member is advised of their action that needs correction and directing the member to review specific policies, procedures, or rules.

- **Remedial Training:** Any instruction or guidance ordered to be completed by a member designed to correct a performance deficiency or misconduct. Remedial training shall be conducted by the Training Unit and may consist of classroom reinstruction or other job-related training. All remedial training records shall be retained in the Training Section and the Personnel Unit, with copies forwarded to the Case Preparation Officer.

- **Referral to Employee Assistance:** A referral to the City of Cleveland Human Resources for connection with the Employee Assistance Unit for services including private counseling and assistance.

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VIOLATIONS

The following are examples of violations within each corrective action category. The violations listed are not intended to be all-inclusive.

- **Non-Disciplined Violations**

  - Abusive Language (internal)
  - Tardiness (1-3 offenses per calendar quarter)
  - Discourteous and/or rudeness to public, co-workers or supervisors (first offense)
  - Maintenance-related grooming & uniform violations
  - General equipment violations
  - General unsatisfactory performance
  - Improper usage of WCS (first offense)
  - Leaving zone without supervisory approval

DISCIPLINARY MATRIX

CDP Draft:

Group violation	Violation number	Mitigating/Aggravating	Corrective action range
No discipline	1		Verbal reinstruction
	2		Written reinstruction
	3		Advance to Group I
Group I	1		Written reinstruction for first-time violation
	2		One-day suspension
	3		Two-day suspension
	4		To Group II
Group II	1	Mitigating	Five-day suspension
	1	No mitigating or aggravating	Six-day suspension
	1	Aggravating	Seven-day suspension
	2	Mitigating	Seven-day suspension
	2	No mitigating or aggravating	Eight-day suspension
	2	Aggravating	Nine-day suspension
	3 or more		To Group III
Group III	1	Mitigating	10-day suspension
	1	No mitigating or aggravating	15-day suspension / demotion
	1	Aggravating	30-day suspension/termination/demotion
	2	Mitigating	30-day suspension/termination/demotion
	2		To group IV
Group IV	1		Termination

Group Violation	Violation Number	Mitigating/Aggravating	Corrective Action Range
Non-Disciplined Violations	1 & 2		Coaching, verbal counseling, letter of reinstruction, remedial training, and/or referral to Employee Assistance
	3		Advance to Group I
Group I	1		Written reinstruction
	2		1-day suspension
	3		2-day suspension
	4 or more		To Group II
Group II	1	Mitigating	3-day suspension
	1	No mitigating or aggravating OR mitigating and aggravating are equal	4-day suspension
	1	Aggravating	5-day suspension
	2	Mitigating	6-day suspension
	2	No mitigating or aggravating OR mitigating and aggravating are equal	7-day suspension
	2	Aggravating	8-day suspension
	3 or more		To Group III
Group III	1	Mitigating	9-day suspension
	1	No mitigating or aggravating OR mitigating and aggravating are equal	15-day suspension and/or demotion
	1	Aggravating	30-day suspension and/or demotion
	2	Mitigating	30-day suspension and/or demotion
	2		To group IV
Group IV	1		Termination

LET'S GO THROUGH THE POLICY