

	Greenville, SC Police Department GENERAL ORDER		
	Subject Philosophy of Discipline	Number 103	Type Administrative
Effective Date July 1, 2015	Amends/ Rescinds New	Pages	Re-evaluation Annual-March
References CALEA 26.1.4; 26.1.5; 26.1.6			Notes

1. **PURPOSE**

The Greenville Police Department (GPD) has a well-established tradition of serving the community with integrity and in a professional manner. To maintain that tradition and continue improving the quality of service the GPD provides to the community, each and every employee must accept the responsibility for their role in maintaining integrity, quality and high professional standards.

2. **DISCIPLINARY AUTHORITY**

The public grants the police considerable authority to act on its behalf in the effort to create an environment free of crime, drug abuse, violence and disorder. In most encounters with the public, police employees utilize their authority in an appropriate manner, however, there are times when citizens have legitimate questions concerning its application. Unfortunately, there are also times when that authority has been abused. Therefore, it is critical that a system of discipline be established that contributes to minimizing abuse of authority and promotes the GPD's reputation for professionalism.

The most effective disciplinary system is one that combines the reinforcement of the right set of prescribed values with clearly established behavioral standards. Each employee of the Greenville Police Department must understand and be guided by the standards that have been established within GPD policies, rules, regulations and procedures. In police work, like many other professions, it is not possible to anticipate every situation that may arise or to prescribe a specific course of action in each scenario, therefore we expect all employees to exercise common sense and good judgment.

When interacting with peers and members of the public, employees are expected to conduct themselves in a manner that convey values of honesty, integrity, respect, trust, accountability and stewardship. In turn, our employees can expect to be treated fairly, honestly and respectfully by all members of the GPD.

The GPD strives to make its expectations as clear as possible to employees. Furthermore, it equally strives to ensure that the consequences for failing to meet these expectations are clearly established. While both of these goals are difficult to meet, the latter is obviously more complex. There are often circumstances that

may have contributed to errors of judgment, or poor decisions, that need to be considered when determining the appropriate consequences and/or the most effective form of corrective action.

3. **CONSISTENCY AND FAIRNESS**

In the application of discipline, the GPD is guided by consistency and fairness. For the Greenville Police Department, **consistency** is defined as holding everyone equally accountable for unacceptable behavior and **fairness** is examining and understanding the circumstances that contributed to the behavior; while applying the consequences in a way that reflects this understanding. In order to ensure that employees are treated in a **consistent** and **fair** manner, the application of consequences for behaviors that are not in keeping with the expectations of the GPD will be based upon a balanced consideration of several factors.

4. **FACTORS IN CONSIDERING DISCIPLINE**

A number of factors that are considered in the application of discipline are identified and discussed below. All of these factors will not apply in every case. Some factors may not apply to the particular set of circumstances. Also, there may be a tendency to isolate one factor and give it greater importance than another. These factors should generally be thought of as being interactive and having equal weight, unless there are circumstances associated with an incident that would give a factor greater or lesser weight. In the sole discretion of the GPD, the factors which will be considered in disciplinary matters include the following.

- 4.1. Employee Motivation: The Police Department exists to serve the public. One factor in examining an employee's conduct will be whether or not the employee was operating in the public interest. An employee, who violates a policy in an effort to accomplish a legitimate police purpose that demonstrates an understanding of the broader public interest inherent in the situation, will be given more positive consideration in the determination of consequences than one who was motivated by personal interest.
- 4.2. Degree of Harm: The degree of harm an error causes is an important aspect in deciding the consequences of an employee's behavior. Harm can be measured in a variety of ways. It can be measured in terms of the monetary cost to the GPD and community. An error that causes significant damage to a vehicle for example could be examined in light of the repair costs. Harm can also be measured in terms of the personal injury the error causes such as the consequences of an unnecessary use of force. Another way in which harm can be measured is the impact of the error on public confidence. An employee who engages in criminal behavior — selling drugs for example — could affect the public confidence in the police if the



consequences do not send a clear and unmistakable message that this behavior will not be tolerated.

4.3. Intentional/Unintentional Errors: Employees will make errors that could be classified as intentional and unintentional.

4.3.1. An **unintentional** error is an action or decision that turns out to be wrong, but at the time it was taken, seemed to be in compliance with policy and was the most appropriate course of action based upon the information available and analyzed from the viewpoint of a reasonable officer. **Unintentional** errors also include those momentary lapses of judgment or acts of carelessness that result in minimal harm (for example, backing a police cruiser into a pole, failing to turn in a report, etc.). Employees will be held accountable for these errors but the consequences will be more corrective than punitive, unless the same errors persist.

4.3.2. An **intentional** error is an action or a decision that an employee makes that is known or should be known to be in conflict with law, policy, procedures or rules at the time it is taken. Generally, intentional errors will be treated more seriously and carry greater consequences. Within the framework of intentional errors there are certain behaviors that are entirely inconsistent with the responsibilities of police employees. These include lying, theft, or physical abuse of citizens and other equally serious breaches of the trust placed in members of the policing profession. The nature of the police responsibility requires that police officers be truthful. It is recognized however, that it is sometimes difficult to determine if one is being untruthful.

4.3.3. Some types of misconduct by police employees can be so egregious as to undermine the very public support and trust we rely upon to conduct our work and ensure that we are safe and supported in doing it. In these circumstances, the department will make every effort to separate the employee from the department. These include, but are not limited to, the following:

4.3.3.1. Intentionally engaging in an effort to be untruthful, which includes misrepresenting or withholding facts.

4.3.3.2. Engaging in intentional or serious physical abuse of citizens.

4.3.3.3. Engaging in theft.



- 4.3.4. Employee Experience and Training: The experience and training of the employee will be taken into consideration as well. A relatively new employee or a more experienced employee in an unfamiliar assignment will be given greater consideration when judgmental errors are made. In the same vein, employees who make judgmental errors that would not be expected of one who has a significant amount of experience or training may expect to receive more serious sanctions.
- 4.3.5. Employee's Past Record: To the extent allowed by law and policy, an employee's past record will be taken into consideration in determining the consequences of a failure to meet the department's expectations. An employee that continually makes errors can expect the consequences of this behavior to become progressively more punitive. An employee that has a record of few or no errors can expect less stringent consequences. Also, an employee whose past reflects hard work and dedication to the community and GPD will be given every consideration in the determination of any disciplinary action.
- 4.4. Following the careful consideration of all applicable factors in any disciplinary review, every effort will be made to determine consequences that consistently and fairly fit each specific incident. The rationale for disciplinary decisions will be explained as clearly as possible.

Kenneth C. Miller
Chief of Police

Date

