



# Carmel Police Department

## General Order #26



### Rules and Regulations

CALEA Standard #26.1.1 – 26.1.4 / 26.2.1 – 26.2.2  
Supporting Documents: GO 52

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#### **Policy:**

Rules and regulations are more than guidelines. Rules and regulations offer little or no flexibility and pertain to all officers. It is the policy of this department that all rules and regulations are read, understood, and obeyed by all officers.

#### **Definitions:**

When a word or term is not defined, the proper and fitting definition, as used within the context, or the generally accepted definition, as defined by the context, shall be used. When a male pronoun is used, the female pronoun is implied. When a singular word or term is used, the plural is implied unless otherwise specified.

#### **Conduct Unbecoming an Officer**

Any conduct, on or off-duty, which adversely affects or impairs the morale, efficiency or operation of the department and any conduct that tends to adversely affect, lower, or destroy public respect and confidence in the department or member.

#### **Correction Meeting**

Disciplinary action resulting from a violation of department rule, order, policy, or standard operating procedure that has a minimal negative impact on the department, operations, officers, or community.

#### **Guardian**

An electronic database used to track department incidents and personnel matters.

#### **On Duty**

Begins at that time when a member reports for a scheduled work period as designated by the department , whereby that member performs duties as a police officer for the City of Carmel.

Shall also include such times any member is ordered to duty by the Chief of Police.

Shall also pertain to those periods of time when any member of the Carmel Police Department acts in an official capacity as a police officer, even while technically off duty, if that member is enforcing a duly constituted law of the State of Indiana or the City of Carmel or while performing those duties in the protection of life and property.



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### **Order**

Any directive, verbal and/or written, issued by a department supervisor or member who has been directed or authorized to give orders.

### **Permanent Personnel File**

A file containing documentation of a member’s formal discipline that rises to written reprimands, suspensions, demotions, and discharge as required by Indiana State retention laws.

### **Progressive Discipline**

A system of increasing disciplinary measures based on repeated violations or severity of misconduct.

### **Substandard Performance**

Below the acceptable level of performance as defined by policy or work standards

**These shall be the official department definitions. Additions and deletions may be made from time to time at the direction of the Chief of Police.**

## **Rules and Regulations**

### **A. Violation of any Law, Rule, Regulation or Order of the Department**

1. Members shall obey all Federal, State, and local laws.
2. Members shall obey all laws of any State or local jurisdiction where the member is present.
3. Members shall obey all written and oral orders, rules, regulations, policy, and standard operating procedures of the department
4. Members who are off duty, on suspension or on leave shall conform to the department’s rules, regulations, orders, policies, and standard operating procedures to the same extent as if they were not off duty, on suspension or leave.
5. Supervisors or commanding officers shall not issue any orders that are contrary to law or department rule or order.



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#### **B. Breach of Discipline**

1. Members shall not conduct themselves in a manner that is detrimental to the efficient operation and/or general discipline of the department
2. Members shall improve performance, conduct or attitude following disciplinary action concerning same.
3. Members shall not have a record of repeated violations of departmental rules, regulations, orders, policies and/or standard operating procedures.
4. Members shall treat the official business, communications, records, and data of the department as confidential. Information regarding official business, communications, records, and data shall be disseminated only to those for whom it was intended, according to departmental procedures.
5. Members shall not take, destroy, or tamper with any official document or record of the department nor shall members remove or copy official records or reports except according to departmental procedures.
6. Members shall not divulge the identity of persons giving confidential information except as required to do so by law.
7. Members shall not criticize the department or any of its officers if that criticism is in any way defamatory, obscene, unlawful or tends to impair the efficient operation of the department.
8. Members shall not make untruthful comments on the official action of a supervisor or any other member of the department.

#### **C. Insubordination**

1. Members shall not be insubordinate or act with disrespect to any supervisor.
2. Members shall not circumvent the chain of command unless otherwise authorized by department order.
3. Members shall promptly obey any lawful order of a supervisor.

#### **D. Neglect of Duty**

1. Members shall report for duty at the assigned time and place with all necessary equipment, properly attired, and physically and mentally fit to perform their duties.
2. Members shall devote full time to their duties during the time they are working for the department. Members shall not engage in any activities or personal business that would cause them to be inattentive to duty.
3. Members shall not leave their assigned duty, unless properly relieved, or by permission of a supervisor, or unless authorized to do so by the Communications Center.



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4. Members shall not sleep while on duty.
5. Members shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive or attempt to deceive any official of the department as to the condition of their health.
6. Members shall not take unauthorized sick leave or be absent excessively.
7. Members shall not deliberately restrict their work output or the work output of others.
8. Members shall take proper and lawful action when they observe wrongful or negligent behavior by department members.
9. Supervisors shall take prompt action when they observe wrongful or negligent behavior by department members.
10. All members shall intervene within their scope of authority and training and notify the appropriate supervisory authority if they observe another department member or public safety associate engage in any unreasonable use of force or if they become aware of any violation of department policy, local ordinance, state, or federal law.
11. Members shall utilize all department equipment and public property only for its intended purpose, in accordance with established department procedures, and shall not abuse, damage, or lose department equipment or public property. All department equipment issued to members shall be maintained in proper order.
12. Members shall keep and maintain all essential information on any police investigation for which they have primary responsibility.
13. Members shall make and turn in all reports promptly, accurately, and completely in conformity with departmental procedures.
14. Members making arrests or otherwise coming into control of a prisoner shall make an immediate and thorough search of the prisoner and the surrounding area as defined by law and department policy.
15. Members who recover or come into possession, custody, or control of any lost, stolen, seized, or abandoned property shall secure and transport it to the department according to departmental policy.
16. Members shall not testify in any court case, civil or criminal, or administrative hearing except where required by law, departmental order, or when subpoenaed. A subpoena issued in a court case shall be considered an order to report for duty.
17. Members shall comply with established grooming standards unless exempted by the Chief of Police.
18. Members shall log in and check the contents of their city email account, Guardian account and PowerDMS / Online Information Center (OIC) account at least one time during each work period. It is further expected that each member act on any official requests, directions, or other actions referred to in the document in a timely fashion.



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19. Members shall advise their direct Supervisor when they are going to be unavailable to be contacted.
20. Members must notify the Chief's office whenever their personal contact information changes (telephone number, address, etc.).
21. Members shall respond to all telephone calls, texts, pages, and other similar communications in a timely fashion.
22. Following any law enforcement action in which injuries have been sustained, members shall render appropriate medical aid consistent with the employee's training as quickly as reasonably possible. Appropriate medical aid begins with requesting an emergency medical response and may include increased observation to detect obvious changes in condition or applying first-aid.

#### **E. Immoral Conduct**

Members shall not conduct themselves in an immoral and/or indecent manner that impairs their ability to perform as police officers or causes the department to be brought into disrepute.

#### **F. Conduct Unbecoming an Officer**

1. When dealing with the public, members shall not use language or gestures that are indecent or discourteous.
2. Members shall not act with disrespect to any other employee of the department, sworn or civilian.
3. Members shall not record nor cause to be recorded, conversations with other department members without first advising all involved in the conversation. This includes surreptitiously recording any conversation among or between other department members. Exemptions to this rule shall be authorized by the Chief of Police.
4. Members shall not use any controlled substance or drug unless prescribed by someone permitted by law to prescribe such drugs.
5. Any use of prescription or over-the-counter drugs that may affect a member's ability to operate vehicles, equipment, or to perform the essential functions of the member's job must be brought to the attention of the member's immediate supervisor prior to reporting for duty.



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6. Members shall not report for duty, or perform duty, when the use of any drug or medication, prescribed or over the counter (i.e., cold or cough medicines) that contain alcohol or other substances, will impair their job performance.
7. Members shall not partake of any intoxicating beverage while on duty, except in the performance of their duty, nor shall any member report for duty under the influence of any intoxicants to any degree whatsoever.
8. Members while off duty and in uniform shall not, in any location open to the general public, consume alcoholic beverages or engage in any activity that would be demeaning to the uniform and the department .
9. Members shall not mistreat persons who are in their custody; nor shall they mistreat animals. Members shall handle such persons or animals according to law and departmental order.
10. Members shall not use more force in any situation than is reasonably necessary under the circumstances. Members shall use force according to law and departmental policy.
11. Members shall only use their weapons according to State law and departmental policy.
12. Members shall not enter into official departmental correspondence or official verbal communication with anyone, except in performance of their official duties.
13. Members shall not intervene in the assigned case of another member without permission of their commanding officer but shall give assistance when and where necessary.
14. Members shall not officially recommend or suggest the service of any person, company or other organization doing business for profit.
15. Members shall not use their official position, badge, or credentials for personal advantage nor to solicit goods, services, or gratuities.
16. Members shall not use their official position, badge, or credentials to avoid the consequences of an illegal act.

#### **G. Substandard Performance**

1. Members shall perform their duties in a manner which will maintain satisfactory standards of efficiency in carrying out the objectives of the department .
2. Members shall conform to established work standards according to their rank or position. Non-conformity shall include, but not be limited to, inability or unwillingness to perform assigned duties.



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#### **H. Failing to Cooperate or be Truthful**

1. Members shall be cooperative and truthful when testifying in any court, administrative hearing, or internal investigation.
2. Members shall be truthful in all official reports and correspondence.
3. Upon the order of the Chief of Police, his designee or any supervisor, members shall answer all questions truthfully, specifically, directly, and narrowly relating to the performance of their official duties or their fitness for serving as a police officer.

#### **The Disciplinary Matrix**

The department shall maintain a disciplinary system that is based on fairness and consistency. This policy aims to achieve consistency in the administration of corrective and disciplinary actions, providing predictability to members. This matrix provides a range of possible actions and sanctions for various types of violations.

When a member is interviewed, formally or informally, regarding a matter that might lead to disciplinary action, that member may request that an FOP representative be present. If this request is made, all questioning will cease for a reasonable period of time until an FOP representative can be present.

#### **The Disciplinary Matrix Procedure**

- All supervisors have the authority to apply the disciplinary matrix, while also understanding that not all situations will rise into the matrix. These issues may be handled informally by the supervisor.
- The matrix provides discipline Levels 1 through 6, with Level 1 being the least severe and Level 6 being the most severe. It is understood that no document can list every possible situation that could happen. For violations not specified on the matrix, the discipline will be determined using the closest comparable situation from the matrix.
- Coaching, incident debriefing, training, counseling, Performance Improvement Plan (PIP), or other tools may be included with any discipline in Levels 1-5.
- Reduction of rank or transfer may be included with discipline in Levels 3-5 or under aggravating circumstances in Level 2.



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#### A. Training

1. Training, both additional and/or remedial, may be employed by itself or in conjunction with one or more of the other components.
2. The goal of training is to assist the member in correcting and improving his / her performance level.
3. Training alone is not considered formal discipline.
4. The purpose and progress of the training experience shall be documented by the supervisor in the Guardian Tracking System.

#### B. Coaching

The goal of coaching is to assist the member in a supportive fashion and have a positive impact on work performance. The purpose and progress of the coaching experience shall be documented by the supervisor in the Guardian Tracking System.

1. Coaching may be employed by itself or in conjunction with one or more other components to improve behavior.
2. Coaching should be considered when there is a reasonable belief that the member is having trouble understanding, adjusting to, or internalizing matters that are job or task related, policy and/or procedure-related, or other matters that are affecting the member's work performance.
3. Coaching may be considered when there are mitigating factors for a Level 1 violation outlined in the disciplinary matrix.
4. The following procedures are to be followed for using coaching:
  - (a) The member or any supervisor may initiate the coaching process based upon information as outlined above.
  - (b) Continued inappropriate behavior may necessitate other corrective measures.
5. Coaching alone is not considered formal discipline.



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#### **C. Incident Debriefing**

The goal of incident debriefing is to discuss the findings and/or recommendations from the Accident Review Board, the Incident Review Board, or an Internal Investigation. The purpose of the incident debriefing shall be documented by the supervisor in the Guardian Tracking System.

Incident debriefing alone is not considered formal discipline.

#### **D. Correction Meeting**

Disciplinary action where members attend a correction meeting with supervisors to discuss the violation that shall be documented by the supervisor in the Guardian Tracking System.

#### **E. Written Reprimand**

Disciplinary action to document misconduct and used as a step in progressive discipline.

A written reprimand entails no loss of police powers nor pay, only written documentation. A copy of the written reprimand will be provided to the involved member and the issuing supervisor shall provide counseling. A written reprimand will be made a part of the member's permanent personnel file.

Per merit law, a copy of the written reprimand will be forwarded to the Police Merit Board.

#### **F. Suspension**

Disciplinary action that includes a loss of police powers and a loss of pay for a period of time.

A copy of the findings will be provided to the involved member and made a part of the member's permanent personnel file. In designating the actual dates of an officer's suspension, the Chief shall consider the officer's work schedule. The Chief shall list the calendar dates of the suspension as well as the number of days suspended. An officer shall forfeit pay for working days suspended only. Police powers shall be forfeited for the entire calendar day period.



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A suspended officer shall not be permitted to wear the department uniform or to use or wear any department clothing, equipment, or other related items. Suspended officers may be required to surrender, as ordered, any department equipment including but not limited to badges, department identification, department issued weapons and department vehicle.

A member may be suspended during an investigation when allegations are serious enough to, if sustained, warrant a suspension, demotion or dismissal.

If a member's alleged conduct is serious enough and/or subject to criminal charges, if sustained, to warrant discharge from the department, the Chief may place the member on administrative leave with or without pay pending the outcome of the investigation and criminal case. If the administrative leave is without pay, it shall be treated as a suspension and will be subject to Merit Board approval.

#### **G. Demotion**

Disciplinary action that results in a reduction of the member's permanent rank. A copy of the findings will be provided to the involved member and made a part of the member's permanent personnel file.

#### **H. Discharge**

Disciplinary action recommended by the Chief of Police that, if upheld by the Police Merit Board, results in termination of employment. In the event of discharge, the member shall surrender all property belonging to the department and City of Carmel Indiana to the respective Division Commander immediately. The officer will receive the following documentation within a reasonable time period. These documents will be added to the involved member's permanent personnel file.

- A written statement citing the reason for discharge;
- The effective date of the discharge;
- A statement of the status of fringe and retirement benefits after discharge; and
- A statement of the content of the member's employment record relating to the discharge.



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### Disciplinary Matrix

Level	Description	Mitigated	Presumptive Discipline	Aggravated
1	Disciplinary action resulting from a member’s violation of department rule, order, policy, or standard operating procedure that risks or has a <b><u>minimal</u></b> negative impact on the department operations, relationships with other officers, and/or community.	N/A	<b>Correction Meeting</b>	<b>Written Reprimand</b>
2	Disciplinary action resulting from a violation of a department rule, order, policy, or standard operating procedure that risks or has <b><u>more than a minimal</u></b> negative impact (but less than a pronounced negative impact) on the department operations, relationships with other officers, and/or the community	<b>Correction Meeting</b>	<b>Written Reprimand</b>	<b>1-3 Day(s) Suspension</b>
3	Disciplinary action resulting from misconduct or a violation that risks or has a <b><u>pronounced</u></b> negative impact on the department operations, relationships with other officers, or the community	<b>Written Reprimand</b>	<b>1-3 Day(s) Suspension</b>	<b>4-5 Days Suspension</b>
4	Disciplinary action recommended by the Chief of Police resulting from a violation that has a <b><u>major</u></b> negative impact on the department operations, relationships with other officers, or the community.	<b>4-5 Days Suspension</b>	<b>6-30 Days Suspension</b> and/or <b>Demotion</b>	<b>31 Days Suspension</b> and/or <b>Termination</b>
5	<b>Misdemeanor criminal conduct</b>	<b>6-30 Days Suspension</b> and/or <b>Demotion</b>	<b>31-180 Days Suspension</b> and/or <b>Demotion</b>	<b>Termination</b>
6	<b>Felony criminal conduct</b>	<b>Termination</b>		



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#### Examples of Mitigating Factors:

- Lack of prior disciplinary history – The individual has a clean record with no previous infractions.
- Positive work history – Demonstrated commitment to professionalism and strong performance.
- Unintentional violation – The misconduct was accidental rather than deliberate.
- Acceptance of responsibility – Prompt acknowledgment of wrongdoing and willingness to be held accountable.
- Efforts to correct behavior – Proactive steps taken to remedy the situation before formal disciplinary action.
- Influence of external stressors – Unusual workplace tensions or personal hardships that contributed to the behavior.
- Direction from a superior – The violation occurred under instruction from a higher-ranking official.
- Legally protected limitations – The misconduct was influenced by factors beyond the individual's control, such as a documented disability.
- Actions taken under the stress of the heat of the moment, understanding that the decision was correct at the time of the incident.

#### Examples of Aggravating Factors:

- Prior disciplinary history – Previous infractions or corrective actions.
- Willful misconduct – The violation was intentional or committed for personal gain.
- Efforts to conceal wrongdoing – Attempts to hide or misrepresent the misconduct.
- Failure to cooperate – Lack of transparency or dishonesty during the investigation.
- Retaliatory behavior – The misconduct was motivated by revenge or bias.
- Impact on the community – The violation caused harm to public trust or departmental integrity.
- Risk to safety – The misconduct resulted in or could have caused injury or loss of life.
- Damage to property – The violation led to financial loss or destruction of assets.
- Law Enforcement Disqualifier- any conduct that prohibits you from being a Law Enforcement Officer



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### Disciplinary Authority

- A. The Carmel Police Merit Board shall have the ultimate authority to discipline any member of the department when the discipline involves a discharge, demotion, or suspension in excess of five (5) days without pay. The Board must approve all recommendations for discharge, demotion, and suspensions in excess of five (5) days.
- B. The Chief of Police has the authority to discipline any member of the department as outlined below. In making his determination, the Chief may refer the matter to the Carmel Police Merit Board with his recommendation. Following his determination in a disciplinary matter, the Chief may:
1. Initiate a Correction Meeting.
  2. Issue a Written Reprimand.
  3. Suspend a member, with or without pay, for up to five (5) workdays and make recommendations to the Police Merit Board for suspensions in excess of five (5) days.
  4. Recommend demotion of a member to the Police Merit Board.
  5. Recommend discharge of the member to the Police Merit Board.
- C. Department supervisors shall have the authority to discipline subordinate officers as outlined below.
1. Recommend additional or remedial training
  2. Conduct a Coaching, Training, or Debriefing
  3. Issue a Correction Meeting
  4. Issue a Written Reprimand.
  5. Make a recommendation for a Suspension, Demotion, or Discharge through the chain of command.
- D. Emergency suspensions, with pay, may be made by any supervisor for violations under IC36-8-3-4. The respective Division Commander shall be notified immediately of any such suspension.
1. Complete and accurate documentation shall be completed, by the supervisor issuing the suspension before the end of that shift.
  2. The officer suspended shall be instructed by the supervisor issuing the suspension, to report to the Division Commander's office at 0900 hrs. the morning following the suspension. The supervisor imposing the suspension



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shall also be present at that meeting.

3. The Division Commander shall notify the Chief of Police of the suspension. If further action is warranted, the Division Commander shall notify the suspended officer to report to the Chief's office.

- E. Before a member of the department can be suspended in excess of five (5) days, demoted or dismissed, the member shall be offered an opportunity for a hearing before the Carmel Police Merit Board (IC36-8-3)

The procedure for requesting this hearing is governed by City of Carmel Merit Law.

- G. A member may appeal the decision of the Carmel Police Merit Board to the Circuit Court of Hamilton County in cases of suspension in excess of five (5) days, demotion or dismissal. All appeals must be made within thirty (30) days after the decision is rendered. (IC36-8-3-4-[f])

### **Disciplinary Records Management**

- A. All disciplinary actions shall be documented and available for review by the chain of command via the Guardian Tracking System.
- B. Documentation of Written Reprimands, Suspension, Demotion, and Discharge will be made a part of the Permanent Personnel File.
- C. Correction Meetings will remain in the member's Guardian as long as inappropriate behavior continues or the member has not formally requested the documentation removed pursuant to the following:

A member of the Carmel Police Department who has received a Correction Meeting may submit a written request, via the chain of command, to the Chief of Police to have the documentation removed from his/her Guardian, as long as the discipline meets the below criteria. Each level of the chain of command shall review the request and make the appropriate recommendations.

1. One (1) year has passed since the document was issued; and:
2. No further evidence exists of continued inappropriate behavior / progressive disciplinary issues and:



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3. The internal/external complaint and/or investigation was not an act defined by GO 52.1.1.

*GO 52.1.1.*

*B Categories of Internal Affairs Investigations.*

- 1. Categories of complaints that require formal internal affairs investigations shall include:*
- a. Allegations of corruption;*
  - b. Allegations of brutality;*
  - c. Allegations of misuse of force;*
  - d. Allegations of breach of civil rights;*
  - e. Allegations of criminal misconduct; or*
  - f. Any other allegations deemed necessary by the Chief of Police.*

D. A member of the Carmel Police Department who was the focus of an unsubstantiated internal investigation (an act defined by GO 52.1.1.B Categories of Internal Affairs Investigations) where department discipline was NOT imposed may be removed from his/her Guardian after three (3) years have passed since the investigation was completed (GO 52.1.10).

E. A member of the Carmel Police Department who was the focus of a substantiated internal investigation (an act defined by GO 52.1.1.B Categories of Internal Affairs Investigations) where department discipline was imposed may be removed from his/her Guardian after ten (10) years have passed since the document was issued (GO 52.1.10). If the discipline was not any part of an act defined by GO 52.1.1.B Categories of Internal Affairs Investigations, then the discipline imposed may be removed from his/her Guardian after (3) years. (Example: progressive discipline leading up to a suspension day / committing a department policy violation resulting in a suspension day)