


LEESBURG POLICE DEPARTMENT REGULATIONS AND GENERAL ORDERS MANUAL		
General Order Number: 408	Section: PERSONNEL	Effective Date: MAY 2026
Title: DISCIPLINARY PROCEDURES		
Accreditation Standards: PER.09.02, PER.09.03, PER.09.04, PER.09.05		
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I. POLICY

The Leesburg Police Department’s disciplinary process is grounded in its core values of Leadership, Engagement, Accountability, and Dedication. We demonstrate leadership by striving for excellence in all aspects of our work and setting the standard for professional conduct. Through active engagement, we foster trust and mutual respect with the community and within our department, honoring the rights and dignity of all individuals. We uphold accountability by adhering to the highest standards of integrity and ethical behavior, ensuring our actions reflect our commitment to public trust. Our dedication is evident in our consistent delivery of high-quality service, driven by effectiveness, efficiency, and innovation, while empowering our employees to grow, take initiative, and continually pursue excellence.

Discipline is intended to correct inappropriate behavior and promote improvement, not to punish. In alignment with the Department’s values, corrective action should be addressed at the lowest appropriate level, typically by the first-line supervisor. Supervisors are expected to lead through engagement by using informal and formal counseling, training, and progressive discipline to guide employees toward success, rather than immediately initiating formal internal investigations. However, serious violations or repeated misconduct that does not respond to progressive measures may require a formal administrative investigation.

The Department is committed to accountability by ensuring that all disciplinary actions are applied fairly, impartially, and with respect for employee rights, including access to appropriate appeal procedures. Leadership is demonstrated through consistent application of established disciplinary principles and thorough supervisory review. While prior cases may be considered to maintain consistency, each situation is evaluated on its own merits. The Chief of Police or designee retains the authority and responsibility to determine the appropriate level of discipline, reflecting the Department’s dedication to integrity, fairness, and organizational excellence.

II. PURPOSE

The purpose of this order is to establish procedures concerning informal and formal disciplinary practices within the department.

III. DEFINITIONS

A. Days

The term "days," as used herein, means calendar days provided; however, if the last day of any time period mentioned herein is a Saturday, Sunday, or legal holiday, the time period shall be extended to the next day that is not a Saturday, Sunday, or legal holiday.

B. Relief from duty

An administrative action by a superior whereby a subordinate officer is temporarily relieved from performing his or her duties.

- C. Discipline
Discipline is a process that is used to change inappropriate behavior.
- D. Misfeasance
The improper performance of some act that you have legal authority to do.
- E. Malfeasance
Conduct that is inherently wrong, unlawful, or without legal authority.
- F. Nonfeasance
A failure to act when under an obligation to do so; a refusal (without sufficient excuse) to do that which it is your legal duty to do.

IV. PROCEDURES

- A. Positive Reinforcement
Positive reinforcement seeks voluntary compliance with established policies, procedures, and orders. Methods of positive reinforcement include:
 - 1. Recognition of excellent job performance through rewards or awards.
 - 2. Discussion and counseling
 - 3. Training
- B. Consistency in Discipline
The department follows the principle that discipline should be applied consistently and fairly. Supervisors and command staff will assess each situation based on the totality of the circumstances, including the nature of the violation, the employee's performance and disciplinary history, as well as any mitigating or aggravating factors. Final decisions regarding discipline are made by the Chief of Police or their designee, who maintains discretion in determining the appropriate corrective or disciplinary action.
- C. Counseling
 - 1. Supervisors are expected to informally counsel employees regularly without oral reprimands. Most counseling is informal, positive, and supportive. **Counseling is not considered to be disciplinary action.**
 - 2. Supervisors are responsible for informally counseling employees about their performance and minor infractions of policy or procedure that do not result in disciplinary action. Counseling should include identification of unacceptable behaviors or actions, specifically what was done wrong, and the desired or acceptable performance. Counseling should attempt to determine the reason for the behavior and a plan to correct or improve performance.
 - 3. Supervisors are expected to maintain notes and documentation of their efforts in informal counseling.
 - 4. Employee performance can be affected by many factors, including a lack of training or stressors at work or at home. In addition to new or remedial training, a variety of resources are available through the Peer Support Team, the Town's Employee Assistance Program (EAP), and health insurance providers, including mental health, family, marital, and financial counseling. Employees in need of counseling, or desiring information about available resources, are encouraged to talk to their supervisors and seek assistance through the various programs. The department recognizes that no stigma is attached to seeking professional counseling.
- D. Disciplinary Actions
The following disciplinary actions are available:
 - 1. Oral reprimand
Oral reprimands, while informal, require documentation with an employee's acknowledgment of such record. The following steps shall be observed:

- a. At the time of an oral reprimand, the employee receiving it shall be counseled as to correct behavior, and further advised that a written record shall be maintained in the supervisor's file concerning the reprimand, and that the employee may read the record.
 - b. The employee shall be further advised that he or she has the right to file a statement setting forth his or her position, in case of disagreement.
 - c. The reprimanding supervisor shall record the oral reprimand in a memorandum, which will remain in the supervisor's file for one year.
 - d. Repeated instances of similar misconduct that warrant discipline will lead to progressively more serious corrective action.
2. Training
- a. Discipline / Corrective action may involve new or remedial training. This training may be deemed necessary to rectify the improper behavior. New or remedial training may include but is not limited to attendance at academy classes, in-service, or other training specially created to help the employee correct or modify his or her behavior. New or remedial training is reasonably offered until the employee can demonstrate proficiency in the corrected behavior. All training shall be documented and recorded in the employee training files.
3. Written reprimand
- a. A written reprimand, issued by the Chief of Police or designee, cautions an employee about poor behavior, sets forth the corrected or modified behavior mandated by the department, and specifies the penalty in case of recurrent poor behavior. A written reprimand becomes a permanent part of the employee's personnel record.
4. Suspension without pay
- If the situation warrants, the Chief of Police or designee, in consultation with the Town Manager, may suspend an employee without pay for specified periods of time.
- a. Suspensions without pay will normally apply to a period of up to 15 days, as determined by the Chief of Police or designee and Town Manager.
 - b. If an employee becomes a candidate for suspension a second time within one year after the first suspension, the employee will face possible dismissal.
 - c. Suspensions resulting from criminal investigations may be prolonged beyond 15 days pending court action.
 - d. In no case shall an employee convicted of a felony continue to work for the department.
 - (1) If an employee is acquitted of criminal charges, the employee may be disciplined at the discretion of the Chief of Police or reinstated with full or partial back pay.
 - e. Any member suspended must return to department custody issued equipment which includes but is not limited to: identification card, building access card and, for sworn personnel, badge and issued firearm.
 - f. During a suspension, the employee shall not undertake any official duties.
 - g. Additional procedures applicable to suspensions without pay are set forth below.
 - h. A copy of the Notice of Suspension given to the employee shall be maintained in the employee's personnel file and becomes a permanent part of the employee's personnel record.
5. Demotion
- If the situation warrants, the Chief of Police or designee, in consultation with the Town Manager, may demote an employee. Demotion shall be to the next lowest rank.
- a. In the case of a career development position after a positive work record of one year, or such shorter period as is identified by the Chief of Police or designee, the employee may re-apply or may be reappointed for career development advancement.
 - b. In the case of a competitive promotion, the employee will be able to compete for a promotional slot after a positive work record of one year, or such shorter period as is identified by the Chief of Police or designee.
 - c. Additional procedures applicable to demotions are set forth below.
 - d. A Personnel Action Form documenting the demotion shall be maintained in the employee's personnel file and becomes a permanent part of the employee's personnel record.

6. Dismissal

Dismissals are made in cases of extreme misfeasance, malfeasance, or nonfeasance of duty. A complete record of the circumstances of the misbehavior shall be made by all persons having knowledge of the misbehavior.

- a. Additional procedures applicable to dismissals are set forth below.
- b. A Personnel Action Form documenting the dismissal shall be maintained in the employee's personnel file. In the case of a dismissed probationary employee, the official record shall merely indicate that the person was dismissed during probationary employment.

7. Additional Procedures for Suspension without Pay, Demotion or Dismissal

a. In accordance with the Law Enforcement Officers Procedural Guarantee Act (Code of Virginia §9.1-500-507), before imposing any suspension without pay, demotion, or dismissal the following procedures shall apply to all non-probationary sworn officers:

- (1) The department will notify the officer in writing of:
 - (a) the charges, the basis for the charges, and the action that may be taken by the department; and
 - (b) the officer's right to respond to the charges orally and in writing.
- (2) The officer will be afforded an opportunity to respond to the charges orally and in writing. Unless the officer agrees to a shorter time period, the officer will have (10) ten calendar days from the date of the notice of charges to provide a response.
- (3) In making the response, the officer may be assisted by legal counsel at the officer's expense.

b. Appeal Process

- (1) All appeals are governed by applicable law (including the Law Enforcement Officers Procedural Guarantee Act, Code 9.1-500-507), and Town personnel policies, as specified under Article 14 of the Town of Leesburg Personnel Procedures Manual (PPM) and LPD General Order 406 Grievance Procedures. The department has adopted hearing procedures consistent with the Law Enforcement Officers Procedural Guarantee Act, which are detailed in the LPD Discipline Grievance Hearing Board SOP. Copies of the PPM and the LPD Discipline Grievance Hearing Board SOP will be made available to the officer upon request.
- (2) The following appeal provisions are applicable to suspensions without pay, demotions, and dismissals:
 - (a) Non-probationary sworn officers may appeal the imposition of a suspension without pay, demotion, or dismissal, and may elect to use either the grievance process outlined in Article 14 of the PPM, or the hearing process under the Law Enforcement Officers Procedural Guarantee Act, but not both. If the officer elects to appeal by requesting a hearing under the Law Enforcement Officers Procedural Guarantee Act, the hearing will be conducted in accordance with the LPD Discipline Grievance Hearing Board SOP.
 - (b) Non-sworn employees may appeal the imposition of a suspension without pay, demotion, or dismissal, but must use the grievance procedure outlined in Article 14 of the PPM and LPD General Order 406 Grievance Procedures.
 - (c) Probationary employees shall have no right of appeal.

E. Reporting arrests

Employees who are arrested, charged with, or convicted of any criminal offense, or who are required to appear as a defendant in any criminal or civil proceeding, shall notify the Chief of Police in writing as soon as practicable. Employees are not required to report parking citations or automated enforcement violations involving privately owned vehicles. Any parking citation issued while operating a Town of Leesburg-owned or assigned vehicle during duty hours shall be reported and will be the responsibility of the employee, unless the violation occurred as a result of an emergency response. Employees must report all summonses and arrests. Failure to comply with these reporting requirements may result in disciplinary action.

V. INFRACTIONS AND DISCIPLINARY ACTIONS

- A. Except for serious breaches of discipline, supervisors shall address employee misconduct using the least severe corrective measures appropriate to the situation. Progressive discipline should be utilized when

practical; however, discipline is not required to be sequential and may be elevated based on the severity of the conduct. The goal is to correct behavior while maintaining fairness and accountability.

B. Application of Discipline

Disciplinary and corrective actions will be determined based on the specific facts and circumstances of each case. In making disciplinary decisions, the following factors shall be considered:

1. The seriousness and nature of the violation
2. Whether the conduct was intentional, reckless, or negligent
3. The employee's prior disciplinary history and overall work performance
4. The impact of the conduct on the Department, its operations, or public trust
5. Whether the conduct reflects a pattern or is an isolated incident
6. Any mitigating or aggravating circumstances

Nothing in this policy restricts the authority of the Chief of Police or designee to impose discipline, up to and including dismissal, when appropriate. Certain violations or allegations of misconduct, due to their seriousness, may warrant immediate relief from duty and the initiation of a formal criminal or administrative investigation.