

**LITTLE ROCK POLICE DEPARTMENT
GENERAL ORDER**

G. O. 211 INTERNAL INVESTIGATIONS, COMPLAINTS, AND DISCIPLINARY ACTIONS

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I. Purpose

- A. The Chief of Police is responsible for the proper handling of complaints by a member(s) of the public and misconduct investigations for the Police Department.
- B. To ensure the integrity of the Police Department, all alleged or suspected misconduct claims will be thoroughly investigated in order to obtain the truth and identify any violation which may have occurred.
- C. Alleged or suspected violations of law, City Ordinances, Civil Service regulations or Departmental regulations, observed or suspected by supervisors, Departmental employees or members of the public, will be investigated. An investigation may result from allegations of misconduct or any complaint against an employee, regardless of whether they were on-duty or off-duty at the time of occurrence.
- D. Department employees are required to intervene within their scope of authority and training if they observe another agency employee or public safety associate (employee of another agency) use unreasonable force, or if they become aware of any violation of departmental policy, state or federal law or statute.
 - 1. When encountering unreasonable actions of other employees that could result in injury, death or violations of constitutional or civil rights, intervention must be immediate.
 - 2. Some situations, such as the unreasonable application of force or inappropriate due process procedures may necessitate immediate intervention. Other circumstances, such as conduct unbecoming of an employee may be best handled through reporting the matter to the appropriate supervisory or administrative authority.
 - 3. This policy does not require non-sworn personnel to intervene in use of force situations where they are not properly trained or required by oath of office or law to take such actions.

II. Complaints

- A. Member-of-the-Public Complaints:
 - 1. Anytime a member of the public contacts a Police Department employee to inquire about or register a complaint, the individual will be immediately referred to any on-duty police supervisor.
 - a) Supervisors working off-duty who are contacted by a member of the public wishing to register a complaint will assist the individual with the complaint in accordance with this General Order.

2. The police supervisor receiving a complaint shall immediately, or as soon as practical, make every reasonable effort to accommodate the member of the public. If the complainant has first-hand knowledge of the incident and expresses a desire to file a complaint, the supervisor shall complete a citizen's complaint form. Members of the public may be referred to Internal Affairs Monday through Friday during business hours if the individual is agreeable. The complaint process will not be delayed by a referral to Internal Affairs.
 3. Members of the public shall not be discouraged from filing a complaint. However, appropriate remedies may be suggested to the individual to resolve minor incidents. The supervisor handling the matter shall, with discretion, make the appropriate resolution without a formal complaint. Complaints resolved at the supervisor level shall be thoroughly documented to include how the matter was resolved. A "Member-of-the-Public Complaint" file will be initiated in Blue Team and the completed documentation shall be attached and forwarded through the Chain of Command to the Chief of Police via Blue Team. Resolving complaints in this manner is only permissible if the member of the public has no desire to pursue a formal complaint, there is no indication of police misconduct that would mandate a formal investigation, and the individual agrees to it. Regardless of the nature of the complaint or allegation, the appropriate action will be documented pursuant to established Departmental guidelines.
 4. It shall be the responsibility of Division Commanders to ensure that all employees in their respective divisions follow these guidelines.
- B. All signed complaints taken by any supervisor will be entered into Blue Team as a "Member-of-the-Public Complaint" and forwarded within 72 hours to the Chief of Police, via Blue Team, along with a summary of the complaint, for investigative assignment. If extenuating circumstances prevent a member-of-the-public complaint from being forwarded within 72 hours, the chief of police will be made aware of the complaint via the chain of command. The Chief of Police will determine whether the subsequent investigation will be conducted by Internal Affairs, the employees' Chain of Command, or if no further action into the complaint is required:
1. Member-of-the-public complaints alleging excessive force or physical abuse will be investigated by Internal Affairs. Internal Affairs will then review Departmental records to determine if there is an existing Use of Force file associated with the complaint incident. If there is an existing Use of Force file on the incident, Internal Affairs will review the documents to determine if the complaint warrants further investigation based upon the use of force evaluations and recommendation, disposition of the file and complaint allegation. Internal Affairs will make a recommendation on the matter and forward the associated complaint and Use of Force file to the Chief of Police to determine complaint disposition.
- C. Anonymous Complaints: Complaints brought by members of the public who do not wish to become involved to the extent of signing a letter or sworn statement will be investigated in the same manner as any other complaint. Formal investigations of an anonymous complaint are initiated only upon the specific direction of the Chief of Police. The Department exercises caution associated with investigations of this type to avoid unnecessary harassment of Departmental employees from outside sources.
1. In the case of an anonymous complaint, a Member-of-the-Public Complaint Form will be completed as thoroughly as possible. A "Member-of-the-Public Complaint" report will be initiated in Blue Team with the related "Member-of-the-Public Complaint" form attached. The report shall be forwarded through the chain of command to the Chief of Police, via Blue Team.

- D. Complaints originating in Internal Affairs will be forwarded directly to the Chief of Police, via Blue Team, for a determination of investigative assignment.

III. Misconduct Investigations

- A. Supervisors will assume the duties and obligations of their rank to discover and investigate employee inefficiency or misconduct at its earliest stages. Supervisors will not look to higher authority to initiate investigations, when an employee is within the scope of their own authority and responsibility.
- B. Alleged misconduct, either on-duty or off-duty, or neglect of duty will be immediately investigated by the supervisor who receives the complaint or observes the violation.
 - 1. If the problem involves another employee of equal or higher rank, a superior officer will be called to investigate the incident.
 - 2. The incident will be documented by the investigating supervisor, who will initiate the appropriate report in Blue Team, attach required documentation, then forward the file through their chain of command to the Office of the Chief of Police, via Blue Team.
- C. If the violation is of a serious nature, the investigating supervisor shall relieve the employee of duty and take their credentials, department issued weapon(s), radio, badge, duty belt, department issued phone/mobile device, ACIC/NCIC fish/token, assigned body worn camera, department issued vehicle/keys, department issued iPad, department issued laptop, and department issued rifle. These items will be stored in the Property and Evidence Room pending disposition. During business hours, Monday through Friday, these items will be taken to the Training Division to be stored in the Quartermaster's Office. Department issued vehicles will be parked at an appropriate substation. Any employee who is relieved of duty shall be instructed to be immediately available to the Office of the Chief of Police and Internal Affairs and will not perform any police duties while relieved of duty.
 - 1. Anytime an employee of the Little Rock Police Department is relieved of duty, the supervisor relieving the employee will, through the Chain of Command, notify their Division Commander and the Professional Standards Division Commander immediately as well as the involved employee's Division Commander, if necessary. The supervisor will complete the Relieved of Duty Notification form (5030-27) and give a copy to the employee. The supervisor will complete a Little Rock Police Department incident report (Information or Stored Property). The supervisor will submit a detailed memorandum describing the facts of the incident, the reason for the action and a recommendation concerning the employee's return to duty. The documentation shall be forwarded through the Chain of Command, via Blue Team, for review and evaluation at each level. The Division Commander of the affected employee shall forward the Relieved of Duty Notification Form (5030-27) to the Professional Standards Division Commander. The Division Commander will, following their review and recommendation(s), forward the file to the Office of the Chief of Police no later than the next business day after the employee has been relieved of duty. The Division Commander will notify the Headquarters Division Commander and the Information Systems Coordinator/ACIC TAC to have the employee's network access and ACIC/NCIC access suspended. The Chief of Police, or their designee, will review the documentation and make a decision concerning the employee's impending return to duty. If the Chief of Police, or their designee, does not authorize the continued relief of duty, the employee will be notified by a member of their Chain of Command concerning their return to duty. When and if the employee returns to duty, the Division Commander will notify the Headquarters Division

Commander and the Information Systems Coordinator/ACIC TAC to have the employee's network access and ACIC/NCIC access restored.

- D. Any complaint, allegation or investigation, involving any of the following circumstances, shall be immediately, or as soon as practical, reported to the Chief of Police:
1. Officer involved shootings by the use of Alert Express;
 2. In custody deaths by the use of Alert Express;
 3. The arrest of any Departmental or City of Little Rock employee by the employee's Assistant Chief of Police or the Assistant Chief of Police over the Bureau investigating the employee;
 4. Any criminal offense by the employee's Assistant Chief of Police or the Assistant Chief of Police over the Bureau investigating the employee; and,
 5. Suspected infractions, which could result in termination by the employee's Assistant Chief of Police.

IV. Investigation Responsibilities

- A. The Internal Affairs Unit is responsible for the following administrative investigations. They include but are not limited to:
1. All complaints against Department employees involving serious misconduct;
 2. Officer-involved shootings and the use of deadly force;
 3. In-custody deaths;
 4. Excessive force/brutality/physical abuse;
 5. Discrimination against any person or group;
 6. Bias based profiling;
 7. Corruption, extortion or the violation of any criminal statute (criminal investigations will be conducted by the appropriate Division if the alleged criminal act occurs in the jurisdiction of the Little Rock Police Department);
 8. Misuse or abuse of police authority;
 9. Use of force resulting in a limb or life threatening injury or death.
 10. Vehicle pursuit resulting in a limb or life-threatening injury or death; and,
 11. Other complaints, as may be directed by the Chief of Police.
- B. Division Commanders are responsible for the investigation of complaints not enumerated above, including, but not limited to:
1. Inadequate police service;

2. Improper procedure;
 3. Unprofessionalism;
 4. Rudeness;
 5. Discourtesy;
 6. Insubordination; and,
 7. Other complaints, as may be directed by the Office of the Chief of Police.
- C. The investigative file shall be forwarded to IAPro upon completion of the supervisory review process, and the complaint will be classified as either:
1. Sustained - the allegation is supported by a preponderance of evidence;
 2. Not sustained - there is a lack of the preponderance of evidence to prove or disprove the allegation;
 3. Exonerated - the employee's actions were within the scope of their authority, complied with departmental guidelines and were lawful and proper;
 4. Unfounded — the allegation was false or not factual or did not occur; or,
 5. No further investigation recommended.

V. Internal Affairs Investigation Procedures

- A. The Professional Standards Division Commander will report to the Assistant Chief of Police – Executive Bureau. The Professional Standards Division Commander also has the authority to report directly to the Chief of Police.
- B. Investigations are conducted whenever a written Member-of-the-Public Complaint Form (LRPD Form 5030-01) has been signed by the complainant, or the Chief of Police orders an investigation.
- C. The Internal Affairs Unit shall be responsible for the completion of all internal investigations and shall be required to provide an appropriate summary and findings of the facts of each case.
- D. The following guidelines shall apply to Internal Administrative Interviews:
 1. Written reports and/or taped statements may be obtained from the employee(s) under investigation, depending upon the complexity of the allegation.
 - a) Whenever possible, employees will be notified during normal work hours at least 48 hours prior to any Internal Affairs interview. Exceptions may occur when circumstances surrounding a criminal investigation, or an employee's actions require an immediate interview by Internal Affairs investigators. Exceptions shall be documented in writing and included in the investigative file. Internal Affairs personnel will utilize a standard Notice of Interview Letter (LRPD Form 5030-02), which will contain the following information:

- (1) Complaint number;
 - (2) Date, time and location of interview;
 - (3) The involved employee(s);
 - (4) The Employee's Rights and Responsibilities Form (LRPD Form 5030-28); and,
 - (5) Allegations and nature of complaint.
2. All interrogations of a law enforcement officer in connection with an investigation against them shall be recorded in full. The law enforcement officer shall be allowed to make their own independent recording of their interrogation and have one witness of their choosing present. The witness must be an attorney or member of the police department that is in no way related to the matter under investigation. In cases involving multiple employees, each employee will have a different witness present during the interview or other official Internal Affairs business.
- a) The member selected will not be in the involved employee's chain of command or a member of the chain of command responsible for evaluating the employee.
 - b) Non-sworn civilian employees may have either a sworn member of any rank up to Lieutenant or any non-sworn civilian member of the Little Rock Police Department present during the interview process.
 - c) The member selected will not interfere with the scheduled time of the interview.
 - (1) In accordance with NLRB v. J. Weingarten, Inc., a union representative/member may ask the employer to clarify questions, give the employee advice on how to answer questions (within limits), and provide additional information to the employer after the questioning. When representing an employee during an investigatory interview, a union representative/member must remain civil and may not interfere with an employer's legitimate efforts to conduct an investigation. An employer may lawfully remove a union representative/member from a meeting if they engage in disruptive or hostile behavior. No supervisor, serving as a member, will issue any instruction (s) or order (s) that contradicts the orders of Internal Affairs personnel or interferes in any way with the integrity of the interview.
 - d) The member selected may record the interview.
3. Before a recorded interview is conducted, or a written report is made, the employee will be advised of the allegation and nature of complaint. The employee will be allowed to review the complaint form/memorandum. Said review will include related in-car and/or body worn audio/video; unless deviation is necessary due to the nature of the investigation.
4. The name(s) of the officer(s) conducting the interview, and all others present, will be stated at the beginning of the interview.
5. The employee is responsible for their statements and any statement(s) of the observer concerning the matter under investigation.

6. When practical, an interview will be conducted while the employee is on duty.
 7. The employee will be advised that the interview is part of an Internal Administrative Investigation.
 6. The employee will be advised of Garrity Warnings if the allegations are criminal in nature.
 7. The employee will obey all lawful orders and truthfully answer questions pertaining to all Departmental investigations, as required by the Little Rock Police Department Rules and Regulations.
 - a) Employees are required to be honest and truthful in all matters related to their scope of employment and the operations of the Department. Untruthfulness is defined as intentionally making a false, misleading, or untrue statement. This requirement applies to all oral and written statements. Written statements include, but are not limited to, reports of any type, and any form of electronic communications.
 - b) Untruthfulness is a severe violation which is strictly prohibited and may result in discipline up to and including termination.
 8. The employee shall not be subjected to offensive language during the interview.
 9. Interview sessions shall be for reasonable periods and timed to allow for personal necessities and rest periods.
- E. During an Internal Affairs investigation, the involved employee(s) may be required to provide reasonable photographs (not degrading or compromising) of themselves. Such photographs shall be relevant to the investigation and used for administrative purposes only. These photographs may be taken of, but are not necessarily limited to, the following:
1. Injuries sustained by the employee in the specific incident;
 2. Articles of clothing or equipment;
 3. Photographs for use in photo line-ups; or,
 4. Any other object or item as it relates to the investigation.
- F. At the discretion of the Chief of Police, in order to further aid the investigation (at the Department's expense), the employee may be ordered by the Internal Affairs investigator to:
1. Be photographed or fingerprinted;
 2. Participate in a physical line-up;
 3. Provide access to financial records including, but not limited to, bank and credit union accounts as determined to be reasonably related to an investigation;
 4. Produce specific documents reasonably related to an investigation (i.e. text messages, phone logs, etc.);

- a) Such requests shall be documented and approved by the Chief of Police. The requests will be narrowly limited, and reasonably related, to the scope of the investigation and a concise explanation of the data requested shall be provided to the employee.
 - 5. Provide access to social networking sites;
 - a) Such requests shall be documented and approved by the Chief of Police. The requests will be narrowly limited, and reasonably related, to the scope of the investigation and a concise explanation of the data requested shall be provided to the employee.
 - 6. Submit to a polygraph examination, if the Chief of Police;
 - a) Believes the integrity of an employee is in question, and/or,
 - b) Considers the circumstances to be extraordinary.
 - 7. Submit to medical/psychological laboratory evaluations.
- G. In all administrative Departmental investigations conducted by the Internal Affairs Unit, at the conclusion of the investigation, the Internal Affairs Unit will provide a summary of the investigation to include a list of all policy violations (the violations will be cited by source and section numbers). The assembled file along with all statements, records and evidence gathered during the investigation will then be forwarded to the Professional Standards Division Commander.
- 1. The Professional Standards Division Commander will review the file and forward it to the Chief of Police through the Executive Bureau Chief. The file will be forwarded through the Office of the Chief of Police to the officer's Chain of Command.
 - a) *If, at the conclusion of an Internal Affairs investigation, it is determined that no policy violation occurred on the part of the officer, the Internal Affairs Unit will make a recommendation regarding the appropriate classification of the allegation and forward it to the Chief of Police through the Executive Bureau Chief. Upon concurrence by the Chief of Police, the investigation will be closed and will not be forwarded to the officer's chain of command for further evaluation. The Professional Standards Division Commander will notify the involved officer's Division Commander of the disposition of the investigation. The officer's Division Commander is then responsible for ensuring the involved officer is informed of the final disposition.*
 - 2. The involved officer's chain of command will review the file and make recommendations concerning potential disciplinary action.
 - a) Evaluation Period
 - (1) Supervisor evaluations into investigations forwarded by the Professional Standards Division shall be thoroughly reviewed and should be completed within seven (7) working days.
 - (a) Any need to extend the evaluation beyond the established time frame will be documented and permitted only after approval by the Division Commander, not to exceed 14 days.

- (b) Upon the determination that the evaluation cannot be completed within the established time frame, the officer(s) involved shall be notified of the delay by their immediate supervisor.
- H. During the review process of the investigative file by the employees' Chain of Command, the Division Commander shall be responsible for ensuring that all investigative files are maintained in a secure manner, with access limited to supervisory personnel.
 - 1. Investigative files shall not be left unattended, unsecured, or in public view.
 - 2. When investigative files are not in use, they shall be securely stored.
- I. The Internal Affairs investigator shall be responsible for informing the complainant, if any, as to the status of the Internal Affairs investigation on a periodic basis, at least every sixty (60) days.

VI. Divisional Investigative Procedures

- A. The following procedures will apply to all administrative investigations conducted at the Divisional level.
 - 1. If, in the opinion of the Division Commander, an Administrative Hearing is warranted for any employee as the result of a Divisional Investigation or other investigation, the Division Commander or their designee will complete and administer a Notice of Intent.
 - 2. All requests for copies of such Divisional files (as in preparation for an Administrative Hearing) will be forwarded to the Internal Affairs Unit via e-mail by the Division Commander. The Internal Affairs Unit will inventory and issue all such copies and will be responsible for the recovery of such files.
 - 3. All Administrative Hearings will be handled in accordance with the Administrative Hearing Section of this General Order.
 - 4. A Division Commander may request the assistance of the Internal Affairs Unit at any time during the course of a Divisional Investigation.
 - 5. During the course of a Divisional Investigation, the Division Commander shall be responsible for ensuring that all investigative files are maintained in a secure manner, with access limited to supervisory personnel.
 - a) Investigative files shall not be left unattended, unsecured, or in public view.
 - b) When investigative files are not in use, they shall be securely stored.
 - 6. Upon completion of the administrative investigation, the Division Commander will forward the file to the Bureau Chief if there is a recommended sustained Departmental policy violation that would result in a suspension, demotion, or termination.
 - 7. The Bureau Chief will review the file and complete an evaluation or a recommended and forward the file to IA Pro if the sustained policy violation that would result in a suspension of less the 24 hours. If the sustained policy violation is recommended to be a suspension of 24 hours or more, a demotion, or termination, the file is to be forwarded to the Chief of Police.

8. The involved officer's Chain of Command will review the file and make recommendations concerning potential disciplinary action.
 - a) Evaluation Period
 - (1) Supervisor evaluations into Divisional Investigations shall be thoroughly reviewed and should be completed within seven (7) working days.
 - (a) Any need to extend the evaluation beyond the established time frame will be documented and permitted only after approval by the Division Commander, not to exceed 14 days.
 - (b) Upon the determination that the evaluation cannot be completed within the established time frame, the officer(s) involved shall be notified of the delay by their immediate supervisor.
- B. The Division Commander shall be responsible for informing the complainant as to the status of Divisional Investigations on a periodic basis, at least every forty-five (45) days.

VII. Administrative Hearings

- A. Any officer, who may be disciplined in the form of a suspension, demotion, or termination, is entitled to a prompt Administrative Hearing by management unless the officer specifically waives the Administrative Hearing in writing. Any civilian employee who may be disciplined in the form of suspension or demotion is entitled to a prompt Administrative Hearing by management unless the employee specifically waives the Administrative Hearing in writing. Administrative Hearing procedures for civilian employees will be consistent in structure, function and administration to that of sworn employees. The Division Commander will complete all required Human Resources documents for notice and service for civilian employees. If a civilian employee is subject to termination they are entitled to a "pre-termination hearing" as outlined in the City Personnel Manual. The Department's Administrative Hearing will serve as the civilian "pre-termination hearing". The civilian employee may be placed on Administrative Leave until the date of the hearing.
 1. During an Internal or Divisional Investigation, if a file review results in a determination that an Administrative Hearing is warranted, supervisory recommendations will include the violation(s) and that the employee be afforded an Administrative Hearing. Recommendations for discipline at this juncture in the review process are inappropriate. The Blue Team file will be forwarded through the Chain of Command for recommendations.
 2. The Division Commander will promptly draft and serve a "Notice of Intent". The Notice of Intent will include a list of all charges and a brief explanation of the basis for the charge(s).
 3. Upon service of the Notice of Intent, the Division Commander or their designee will:
 - a) Advise the employee of their right to request or decline an Administrative Hearing;
 - b) Direct the employee to either request or waive the Administrative Hearing in writing by signing the Notice of Intent accordingly;

- c) If the employee formally requests an Administrative Hearing they will, upon request, be supplied with a copy of the disciplinary file pertaining to the charges against them as soon as practical, but no less than 48 hours prior to the Administrative Hearing, to allow ample opportunity for case review and to assist the employee with preparation for the Administrative Hearing; and,
 - (1) The copy of the investigative Blue Team file will be supplied in an electronic format.
 - (2) The employee will sign a receipt for the copy of the Blue Team investigative file, and the Blue Team file will be returned to the Division Commander or their designee at the conclusion of the Administrative Hearing who will return the Blue Team file to the Internal Affairs Unit; and,
 - (3) The Blue Team file copy will not be duplicated in any manner and will only be given to the employee.
 - d) Schedule an Administrative Hearing for personnel within five (5) working days and notify the employee of the date, time and location of the Administrative Hearing. The Administrative Hearing shall be conducted within one (1) week unless adequate documented justification is provided.
4. The purpose of the Administrative Hearing is to ensure that the employees' side of the incident is fully presented.
- a) The employee shall be furnished a copy of the charges prior to the Administrative Hearing; and,
 - b) The employee may select a person of their choosing to serve as an observer during the Administrative Hearing. The employee may choose to be accompanied by any member of the Little Rock Police Department or the employee's attorney. The person selected will not interfere or participate in the Administrative Hearing and will only be allowed to attend as support for the employee. The employee may confer with the observer as needed, but all statements will be made by the employee.
5. In cases involving non-supervisory sworn personnel, the Administrative Hearing will be conducted by the involved employee's Division Commander, or their designee. The Division Commander, or their designee, may include the Lieutenant and/or Sergeant in the Administrative Hearing. In cases involving sworn supervisory personnel, the affected Bureau Chief or their designee, shall be responsible for conducting the Administrative Hearing.
6. In cases involving non-supervisory civilian personnel, the Administrative Hearing will be conducted by the involved employees' Division Commander, or civilian equivalent, or their designee. The Division Commander, or their designee, may include the Lieutenant and/or Sergeant in the Administrative Hearing. The Lieutenant and/or Sergeant may be replaced by civilian supervisory personnel with commensurate supervisory authority within the employee's Chain of Command where appropriate. In cases involving civilian supervisory personnel, the affected Bureau Chief or their designee, will be responsible for conducting the Administrative Hearing.

B. Post Administrative Hearing Actions, Reviews and Recommendations.

1. Immediately following the Administrative Hearing, the Division Commander or their designee will ensure that the taped proceedings are transcribed and attached to the Blue Team file for review by the affected employee's Chain of Command.
 2. A reasonable length of time will be allowed for the Chain of Command to complete a thorough review and evaluation.
- C. Final Evaluations and Recommendations
1. Upon completion of the Administrative Hearing, a transcribed copy of the Administrative Hearing will be attached to the Blue Team file and forwarded to the affected employee's direct supervisor for evaluation and subsequently routed through the Chain of Command. The direct supervisor will attach the Disciplinary Matrix Worksheet to the Blue Team if discipline is recommended.
 2. The Division Commander, or their designee, shall ensure that the employee's copy of the Blue Team file is returned to the Internal Affairs Unit.
 3. Each supervisor in the affected employee's Chain of Command will attach their evaluation to the Blue Team file.
 4. The Division Commanders or their designee, upon completion of the Administrative Hearing, will attach any additional documentation to the Blue Team file.
 5. The Division Commander will make a final determination on any corrective action or discipline resulting in restorative supervision, oral reprimand, or written reprimand.
 6. The Bureau Chief will make a final determination on any corrective action or discipline resulting in a suspension of less than 24 hours.
 7. The Chief of Police will make a final determination on any recommended discipline that may result in a suspension of 24 hours or more, demotion or termination.
- D. A record of disciplinary actions will be maintained in the original investigative file. The final action taken will be noted and the Human Resources Department will be notified by the Office of the Chief of Police, when appropriate.
- E. An appeal of a disciplinary decision (of twenty-four [24] hours or greater) shall be heard before the Civil Service Commission, providing the officer wishes to appeal.

VIII. Corrective Action

- A. Corrective action may be taken in those cases of minor violations.
- B. Supervisors may use the following corrective actions as a precursor to disciplinary action.
 1. Restorative Supervision - A corrective action designed to allow the supervisor to guide an employee without the use of punitive sanctions. Criteria used to determine the necessity of restorative supervision as opposed to other discipline may include:
 - a) The classification of the violation on the Disciplinary Matrix;

- b) Number of prior violations occurring within the designated “look back” period; and,
 - c) Restorative supervision is not considered discipline.
2. Training - A supervisor may use training as a corrective action in those areas involving minor procedural violations in Department policy. Corrective training may include areas involving radio procedure or report writing. Supervisors may conduct informal training themselves or schedule the employee for formal documented training through the Training Division.

IX. Disciplinary Action

- A. Employees are subject to disciplinary action for the commission or omission of any act that is prohibited or required.
- B. Non-compliance with any Order, the Rules and Regulations, Departmental procedures, other Departmental or City directives, Administrative Regulations, the City of Little Rock Personnel Manual or the Civil Service Commission Rules and Regulations may also result in disciplinary action.
- C. It is the Department’s intent to administer discipline in a manner that is both consistent and fair to the employee, the Department and the citizens we serve.
 - 1. When determining the type of discipline necessary, it should be appropriate to the offense and intended to correct the problem. The type of discipline action taken will conform to the guidance outlined in the Disciplinary Matrix. Disciplinary actions may take one of the following forms as outlined in the Civil Service Commission Rules and Regulations (CSCRR) and the Administrative Personnel Policy and Procedure Manual:
 - a) Oral reprimand - The appropriate Division Commander or their designee may issue an official oral reprimand. Such reprimands shall be documented in writing and a copy shall be kept by the Department until the employee has rendered service free of any disciplinary action for a period of twelve consecutive months. This type of reprimand shall not be made part of the employee’s permanent personnel file. Oral reprimands, or a recitation of the reprimand, may be maintained in IAPro indefinitely for reasons outside of the disciplinary action.
 - (1) There is no appeal recourse to an oral reprimand.
 - (2) An employee who receives an oral reprimand has the right to have the reprimand repeated in front of an employee of their choosing.
 - b) Written reprimand - The appropriate Division Commander or their designee may issue an official written reprimand. The reprimand must state the reasons for such action on a standard form. The employee shall be advised of their right to attach a written rebuttal to the written reprimand to be placed in their personnel file.
 - (1) Written reprimands given to any employee shall remain available for consideration in a disciplinary action until the employee has rendered service free of any disciplinary action for a period of twenty-four (24) consecutive months. Written reprimands, or a brief recitation of the

reprimand, may be maintained in IAPro indefinitely for reasons outside of the disciplinary action.

- (2) In discipline cases, the Chain of Command shall not consider a written reprimand given prior to a twenty-four (24) consecutive month period free of any disciplinary action.
- c) Suspension - In the interest of good discipline, the Chief of Police may suspend an employee without pay for any length of time up to one-hundred seventy-six (176) working hours. An employee who is suspended shall be given written notice of the reasons for the action and of their right to appeal this action if the suspension is for twenty-four (24) working hours or more.
 - (1) During the investigation of alleged charges against an employee, that employee may be placed in a suspension with pay status during the investigation.
 - (2) If the Civil Service Commission reverses or reduces a suspension, the employee will be reimbursed for net loss of earnings resulting from the period of suspension.
 - d) Demotion - The Chief of Police may demote an employee for disciplinary reasons or for unsatisfactory performance. Such action will result in the employee being moved to a lower pay grade. Employees who are to be demoted will receive notice ten (10) days prior to the demotion.
 - e) Dismissal - The Chief of Police may dismiss an employee for just cause, pursuant to Section 1 of Chapter 6 (CSCR), provided any disciplinary action taken by the Chief of Police, which is reviewable by the Commission, can be supported by evidence strong enough to bear the burden of proof of just cause for such disciplinary action. When an employee is dismissed, he will receive the following:
 - (1) A statement citing the reason for dismissal;
 - (2) The effective date of the dismissal;
 - (3) A statement of the status of fringe and retirement benefits after dismissal; and,
 - (4) A statement of the employee's appeal rights.
- D. All discipline related to citizen complaints will be reviewed and coordinated through the Chief of Police or their designee.
1. Division Commanders or their designee have the authority to administer counseling, remedial training, oral and written reprimands and suspensions to all employees.
 2. The Chief of Police or their designee will make official notification on all employee terminations.
- E. When documenting discipline in the form of reprimands of an employee, supervisors will utilize the below format for sworn and civilian employees:
1. Sworn

- a) Your supervisors have reviewed investigative file # (insert file number) and determined that you were in violation of the following cited section(s) of the Little Rock Police Department's (cite appropriate policy or procedure). Include verbiage from the policy or procedure.

You violated the aforementioned section(s) when you (state the basic information for the violation).

The evidence supporting this disciplinary action is contained in Internal Affairs # (insert file number) which is available for your review as provided in General Order 211.

Violations of this nature are a serious offense. Your conduct in this matter reflects unfavorably upon you as a professional police officer. Should another violation of this nature occur, more severe disciplinary action may be taken.

You are hereby formally reprimanded. Under General Order 211, you do have the right to file a written rebuttal to this reprimand through your Chain of Command, who will forward a copy to the Human Resources Director.

2. Civilian

- a) You have violated the following (cite appropriate policy or procedure) when you (state the basic information for the violation).

The evidence supporting this disciplinary action is contained in Internal Affairs file # (insert file number) which is available for your review as provided in General Order 211.

X. Civil Service Appeal Procedures

- A. Upon receipt of written notification from the Chief of Police, of a dismissal, demotion or suspension for twenty-four (24) working hours or more, the officer shall have the right to reply in writing and request a hearing before the Civil Service Commission.
- B. Any such written reply shall be a part of the record before the Commission in the event of an appeal hearing.
- C. A request for a hearing shall be directed to the Human Resources Director and must be received in the Human Resources Department within ten (10) calendar days from the date of notice of the disciplinary action. The right of appeal will be forfeited if the written appeal is not received by the Human Resources Director within the ten (10) calendar day period for requesting a hearing.
- D. In the event a request for hearing is made, the Commission shall, within fifteen (15) calendar days of receipt of the request, schedule a date for the hearing. The hearing date will not be within this fifteen (15) calendar day period.
- E. When an officer files a written notice of appeal to the Civil Service Commission or to appeal the Civil Service Commission's ruling to Circuit Court, they may make a written request to the Internal Affairs Unit for a copy of the internal investigative file.

1. The copy of the investigative file will be supplied in an electronic format.

2. The employee will sign a receipt for the file and will return the file to the Internal Affairs Unit within forty-eight (48) hours after the ruling of the Civil Service Commission or Circuit Court.
3. The file copy will not be duplicated in any manner and will not be disseminated to anyone, except the employee or their attorney.

XI. Civilian Employee Appeal Procedures

- A. An appeal of the disciplinary decision by the Chief of Police upon the non-sworn employee shall be conducted in accordance with Section V. 4 (c) of the Administrative Personnel Policy and Procedure Manual.
 1. A non-sworn employee shall have ten (10) working days to exercise their right of appeal to the Director of Human Resources.

XII. Disposition of Internal Affairs and Divisional Investigations

- A. The Internal Affairs Unit is responsible for compiling an annual statistical report, based upon Internal Affairs records for the past year, for submission to the Office of the Chief of Police.
 1. This report shall be disseminated to all Division Commanders and to the Public Affairs Office.
 2. Departmental employees and the public shall be provided this information, but only upon request.

XIII. Complaint Records, Review, Response and Purging

- A. Records
 1. The IA Pro System shall be utilized for the recording of a complaint and the action taken on the complaint;
 2. The Member-of-the-Public Complaint Form (LRPD Form 5030-01) will be attached to the Blue Team file; and,
 3. The complainant will be provided with written verification that the complaint has been received for processing. The complainant will receive a receipt of their complaint, which will include an explanation of the investigative process and review.
- B. Investigation Period
 1. Complaints or allegations of misconduct received by the Department shall be thoroughly investigated and should be completed within ninety (90) calendar days of the date the complaint was filed, with the exception of service complaints, which should be completed within sixty (60) calendar days.
 - a) Any need to extend the investigation beyond the established time frame will be documented and permitted only after approval by the Chief of Police.

- b) Upon the determination that the complaint cannot be completed within the established time frame, a written response shall be provided to the complainant notifying them of the delay by the respective Division Commander or Internal Affairs investigator.
- C. Response
 1. When a final decision has been rendered and/or final action taken, the member of the public and the officer will be advised in writing of such decision or action, which will include the following information:
 - a) That the investigation is completed;
 - b) The general findings and conclusion of the investigation;
 - c) That “appropriate corrective or disciplinary action” is being taken if the allegation is sustained; and,
 - d) That the complainant has the right to appeal the results of the investigation to the Civil Service Commission pursuant to the guidelines outlined in the Civil Service Commission Rules and Regulations.
 2. The notification will be made by the Chief of Police, Internal Affairs Unit and/or Division Commander, whichever may apply.
- D. The confidentiality of all Internal Affairs records is vital, and proper security precautions should be taken. Internal Affairs case files and records shall be maintained in a secured office or area assigned solely to the Internal Affairs Unit. Access to this area shall be limited to the following personnel:
 1. The Chief of Police
 2. The Office of Internal Affairs
- E. Employees wishing to review completed and closed Internal Affairs investigative files, in which the employee was the subject of the investigation, shall submit a written request through the chain of command. The files will be released to the employee only after approval from the Office of the Chief of Police.
 1. The copy of the investigative file will be supplied in an electronic format.
 2. The employee will sign a receipt for the file and will return the file to the Internal Affairs Unit after a reasonable amount of time is allowed to review the file, not to exceed ten (10) days. In cases where the investigative file is exceptionally large or other extenuating circumstances, the employee may request additional review time by submitting the request, in writing, to the Office of the Chief of Police.
 3. The file copy will not be duplicated in any manner and will not be disseminated to any other person, except the employee and/or their attorney.
- F. The information contained in any internal investigative file shall not be used by anyone to the detriment of any complaining member of the public or witness. This shall not be construed as preventing the Internal Affairs Unit from pursuing criminal charges based upon the information contained in the file.

- G. Employee personnel files shall be maintained securely in the Office of the Chief of Police. Access shall be limited to the Office of the Chief of Police and administration supervisory personnel.
- H. Purging Internal Affairs Investigative Files
 - 1. Personnel investigative files in the Internal Affairs Unit, including all reproduced copies, shall be purged after fifty-four (54) months, unless ordered prior to the purge period by a court of competent jurisdiction, to maintain particular file(s) longer.
 - 2. It is the responsibility of the Internal Affairs Unit Commander to ensure files are purged in a timely and secure manner, in accordance with Little Rock Police Department General Orders.

XIV. Criminal Allegations

- A. In those instances where the initial investigation establishes that the criminal allegations are unfounded, the facts will be evaluated by investigating personnel to determine whether sufficient evidence exists or may be obtained to pursue prosecution of the complainant pursuant to A.C.A. §5-54-122 (Filing False Report with Law Enforcement Agency), or other appropriate violations. In the event that such a prosecution is viable, the Major Crimes Division will conduct the necessary investigation and will be responsible for submitting the case file to the Prosecuting Attorney for review and determination of charges in accordance with established procedures.
 - 1. The above review will be strictly limited to those cases where an individual's allegations of criminal conduct by an employee of this Department have been disproved.
 - 2. This review does not apply to investigations mandated by Departmental policy or initiated by the Chief of Police in the absence of a specific complainant.
 - 3. All investigations of this type will be reviewed by the Chief of Police prior to submission to the Prosecuting Attorney.

XV. Early Intervention System

- A. The purpose of the Early Intervention System is to provide the Department with a procedure that:
 - 1. Monitors actions taken by employees requiring administrative reporting and/or internal investigations or which may otherwise be indicative of work performance deficiencies;
 - 2. Provides for supervisory review at all levels in the Chain of Command; and,
 - 3. If deemed appropriate, provides for remedial action(s) or employee assistance to correct or eliminate identified job performance-based deficiencies.
- B. The intent of the Early Intervention System is to ensure that the Little Rock Police Department is not faced with a serious case of misconduct that reveals an escalating pattern of misconduct that could have been abated through earlier intervention. No disciplinary action may be imposed as a result of a review under the Early Intervention System criteria. Any disciplinary action should have been previously imposed at the time of the original incident.
 - 1. Utilization of the Early Intervention System does not alter the critical role of supervisors in directly monitoring the performance and behavior of personnel under their command.

2. Supervisory and management personnel shall be familiar with alternatives and authorized actions they may take in response to personnel exhibiting behavioral and/or performance-based problems with or without information provided by the Early Intervention Program.
- C. The Early Intervention System will apply to all employees of the Police Department.
- D. The Early Intervention System will be automatically activated when:
1. An employee is the subject of two (2) or more sustained internal investigations, citizen complaints or four (4) or more sustained divisional investigations or six (6) or more Departmental investigations involving misconduct, or quality of service within any twelve (12) month period.
 2. An employee is involved in four (4) or more police vehicle pursuits within any twelve (12) month period, in which there are sustained violations.
 3. An employee is involved in three (3) or more on-duty motor vehicle accidents during any twelve (12) month period, where the employee's actions were determined to be a contributing factor, or the fault was undetermined.
 4. An employee is involved in two (2) or more bias complaints within a six (6) month period.
 5. An employee is involved in five (5) or more use of force incidents in a six (6) month period.
- E. The Internal Affairs Unit will be responsible for maintaining and monitoring all data pertinent to automatic activations of the Early Intervention System. Internal Affairs will ensure that automatic activations are conducted in a timely manner and will monitor the process to ensure that all provisions of this General Order are followed.
1. Supervisors of the Little Rock Police Department will continuously monitor the performance and behavior of all personnel under their command. Supervisors have available to them, as part of their Blue Team access, the Early Intervention Dashboard that gives them an overview of the employee's current status concerning the events that activate an alert in the system.
- F. First-line supervisors must be cognizant of potential problems that may impact an employee's daily work performance. The Early Intervention System may also be activated at the request of any supervisor. This request will then be forwarded through the Chain of Command for the approval of the Bureau Chief, whenever any of the following behaviors, incidents or situations can be documented:
1. A significant reduction in work performance or productivity;
 2. Indications of substance abuse;
 3. Involvement in incidents of domestic discord or financial difficulties;
 4. Any discernible pattern of recurring similar complaints, regardless of disposition or length of time;
 5. The failure of previous attempts to correct substandard performance through the use of performance review, training or discipline;

6. Any other sudden or unusual change in behavior, which, in the opinion of a supervisor, adversely affects the employee's performance or the performance of other members of the Department; and/or,
 7. Any employee who, upon periodic supervisory review of their sick leave usage, exhibits a pattern of usage suggesting a definite and/or possible abuse of the Department's sick leave policy.
- G. Each first-line supervisor will maintain an Early Intervention System file on each employee assigned to their command. This file will be the repository for documented incidents that meet the criteria for Early Intervention System consideration. This will be the same file used for employee performance evaluations and will be considered and treated as a confidential employee record. These files will include the following documentation concerning the employee:
1. Copies of use of force reports;
 2. Copies of vehicle accident reports;
 3. Copies of letters of all disciplinary action;
 4. Documentation of counseling session (s);
 5. Referrals to EAP;
 6. Documentation of mandated remedial training; and,
 7. Any documentation deemed necessary by the employee's chain of command.
- H. All supervisory requests for activation of the Early Intervention system will be forwarded from the Office of the Chief of Police to the Internal Affairs Unit. The Internal Affairs Unit will ensure the timely activation of the System and will monitor the process to ensure that all provisions of this General Order are followed.
- I. Upon activation of the Early Intervention System, an Internal Affairs Unit officer will review the alert and determine if an Early Intervention Report for the affected employee should be completed. The Internal Affairs officer should consider in their review the employee's actual involvement, whether or not discipline was administered and any other factors that could cause public concern. The Internal Affairs Unit officer will complete an Early Intervention Report and forward it to the appropriate Division Commander, via Blue Team, for supervisory review and recommendations. The report will include a summary of, at a minimum, the following information:
1. General employment history, including all assignments and transfers, the previous twelve (12) months of sick leave usage and sick leave balance;
 2. All member-of-the-public complaints, internal and divisional investigations involving the employee;
 3. A synopsis of all use of force incidents involving the employee during the last six (6) months;
 4. All disciplinary actions taken against the employee;
 5. All awards and commendations received by the employee;
 6. All on-duty motor vehicle accidents involving the employee;

7. All police vehicle pursuits involving the employee;
 8. Employee's performance appraisals for the past three (3) years; and,
 9. The employee's off duty employment information.
- J. The Division Commander will ensure that each of the employee's current supervisors (first-line supervisor or sergeant upwards) reviews the Early Intervention Report.
1. The employee's immediate supervisor will prepare a written evaluation of the Early Intervention Report and recommendations for remedial action which may include the following:
 - a) Conclusion that the employee's actions does not warrant immediate need for corrective action;
 - b) Referral to the Employee Assistance Program (EAP);
 - c) Referral to an agency-authorized mental health professional or other mental health care provider authorized by the Department;
 - d) Requiring the employee to participate in agency-authorized training, targeting personal or professional problems that the employee may be facing (e.g., Communications, Cultural Awareness, Coping with Stress, Substance Abuse, Anger Management); and,
 - e) Reassignment or transfer.
 2. Supervisors may obtain any additional information regarding the employee as may be necessary to appropriately complete an evaluation.
 3. Supervisors may consult with Internal Affairs Unit or Training Division personnel, or any other Departmental personnel as may be appropriate during this review.
 4. Once an employee has been identified by the Early Intervention system and has been notified by their supervisor, the employee will cooperate with the supervisor and/or Internal Affairs personnel in identifying reasons for and resolutions to Departmental concerns regarding the employee's actions and follow the mandated plan of action to completion.
 5. This review and written evaluation will be completed and forwarded with notations by each supervisor through the Chain of Command to the Office of the Chief of Police within fifteen (15) business days of the initial receipt of the Employee Analysis Report.
 6. The appropriate Bureau Chief will review the evaluation and the Early Intervention Report and will make a final determination regarding any recommendations made by supervisors.
 7. In the event the review of the Early Intervention Report results in any employee action, the employee's immediate supervisor will ensure that the action is completed, will monitor the employee's continued performance, and will provide a monthly written follow-up evaluation through the Chain of Command to the Chief of Police for a period of six (6) months from the original date when the Early Intervention System was activated. Evaluation periods may be extended at the recommendation of the employee's Division Commander and/or the Office of the Chief of Police.

8. Participation by Department employees in counseling and/or training may be voluntary or directed by a supervisor. Any order for mandatory psychological counseling and/or assessment must be approved by the Chief of Police and provided to the employee in writing. Any action to include change of work environment, training, or counseling as a result of the Early Intervention System are not considered punitive or to be a disciplinary action.
 9. If it is determined, after a review of the Employee Analysis Report and other relevant information by the employee's Chain of Command, that intervention and/or corrective action is not necessary, then a monthly written evaluation will not be required. The employee's Division Commander will prepare a memorandum noting their final recommendations, which will then be forwarded to their Bureau Chief for final approval.
- K. The Internal Affairs Unit Commander will prepare and deliver to the Chief of Police an annual documented evaluation of the Personnel Early Intervention System. This annual evaluation will assess the system's effectiveness and recommend any changes that may be needed to improve the system.
- L. The Internal Affairs Unit will maintain all original documentation pertaining to the Personnel Early Intervention System for a period of sixty (60) months.
- M. The Personnel Early Intervention system will not be used as a form of harassment or retaliation against any employee and all employee actions taken as a result of the Early Intervention System will conform with the Departmental General Orders, Rules and Regulations and applicable City of Little Rock policies.
- N. Any exceptions to the evaluation timelines established in this General Order will require the prior written approval of the Chief of Police.

XVI. Disciplinary Matrix (Non-Traffic Accident)

- A. The Little Rock Police Disciplinary Matrix is intended to improve transparency, provide for uniform corrective action plans, and improve officer confidence in the disciplinary process. The Corrective Action Categories are the five levels of corrective action plans, Category A through Category E with Category A being the least severe and Category E being the most severe.
- B. The second part of the Matrix is a listing of violations and their associated Corrective Action Category. While several violations have been listed as part of a Blue Team, not every possible violation has been included.
- C. General Guidelines
1. Corrective Action Plan level of approval requirements
 - a) Restorative Supervision – Corrective action plans that utilize Restorative Supervision will require the approval of the Division Commander if the involved employee is the rank of officer or sergeant. For the rank of lieutenant, the approval authority is the Assistant Chief of Police. All other ranks will require the approval of the Chief of Police or their designee.

- b) Oral/Written Reprimands – Corrective action plans that utilize either an Oral or Written Reprimand will require the approval of the Division Commander if the involved employee is the rank of officer or sergeant. For the rank of lieutenant, the approval authority is the Assistant Chief of Police. All other ranks will require the approval of the Chief of Police or their designee.
 - c) Suspensions Less than 24 Hours – Corrective action plans that include a suspension of less than or 24 hours will receive final approval at the Assistant Chief of Police level unless the involved employee is the rank of Major or above. In instances where the involved employee is the rank of Major or above, the Chief of Police or their designee will be the final approval authority.
 - d) Suspensions of 24 Hours or more/Demotions/Terminations – Corrective action plans that include suspensions of 24 or more hours, demotions, or terminations must be approved by the Chief of Police or their designee
 - e) Corrective action plans that include violations that are not currently listed in the second part of the Matrix, must be approved by the Chief of Police and will be added to the second part of the Matrix.
 - (1) For allegations not listed in the Disciplinary Matrix, supervisors shall request a Lookback Report from Internal Affairs and attach it to the Blue Team. Utilizing the Lookback Report, along with comparable allegation classifications within the same section of the policy, supervisors will complete their evaluation and provide a recommended classification for the unlisted allegation. The evaluation shall include a clear justification for the recommended classification, as well as the recommended discipline for the incident documented in the Blue Team.
 - f) Corrective action plans associated with a Member-of-the-Public complaint must be approved by the Chief of Police or their designee.
2. Repeated Acts – The Corrective Action Matrix groups violations into Categories. Patterns of violations within the listed time frames are used to elevate the Corrective Action Category (except for Category A violation) and associated corrective actions. This is consistent with the theory of progressive discipline. The violations do not have to be the same violation in order to be considered for elevation purposes but do have to be within that category or a higher category to be considered.
- a) Repeated Acts Category A – Category A violations are those types of violations that have minimal negative impact on LRPD operations and the reputation of LRPD. Non-repetitive violations of this category are normally handled through Restorative Supervision. While the allegation will be sustained, Restorative Supervision is not considered discipline. Restorative Supervision may only be recommended twice in a 12-month window. A third Category A violation within 12 months from the date of occurrence, will be elevated to a Category B Corrective Action Plan
 - b) Repeated Acts Category B-D
 - 1. Repeated acts in these categories will be considered for elevation purposes for the timelines listed. Only violations from that category or a higher category will be considered for elevation purposes. For example, a

previously sustained Category C violation will elevate a Category B violation if it occurs within one year of the Category B violation. *Previously sustained* Category B violations will not be considered in elevating a Category C violation no matter when it occurred. Only previously sustained violations should be considered for elevation purposes.

2. Repeated acts of Category B violations or above, **3** within one year *from the date of occurrence*, will increase the violations to Category C.
 3. Repeated acts of Category C violations or above, **2** within two years *from the date of occurrence*, will increase the violations to Category D.
 4. Repeated acts of Category D violations or above, **1** within three years *from the date of occurrence*, will increase the violations to Category E.
- c) Repeated Acts Category E – Due to the seriousness of Category E violations, repeated acts within 4 years will normally result in termination unless documented mitigating factors are present.

3. Presence of Mitigating and Aggravating Factors

- a) If circumstances require a deviation from established orders or procedures, it shall be done in the best interests of the Department, with due consideration being given to the following:
 - 1) The necessity to deviate from established orders and procedures should rarely occur; and,
 - 2) Logical, reasonable, and immediate justification must be provided by the supervisor.
- b) The documented presence of mitigating or aggravating factors may cause a deviation outside the guidelines of this matrix. The presence of mitigating or aggravating factors must have a significant bearing on the violation in order to be considered.
- c) *After determining whether an allegation will be elevated based on an employee's disciplinary history, the allegation may then be mitigated or aggravated by one classification level if mitigating or aggravating factors are present. For example, a Category C allegation may be mitigated to a Category B violation or aggravated to a Category D violation. Any mitigation or aggravation beyond one classification level must be approved by the Chief of Police.*
 1. Mitigating factors include, but are not limited to:
 - a. Ordered by a supervisor;
 - b. Mistake of facts;

- c. Necessity; and,
 - d. Unintentional.
2. Aggravating Factors include but are not limited to:
- a. Inappropriate use of force;
 - b. Personal motive (i.e. retaliation, bias, harassment, reckless disregard, personal benefit, demean);
 - c. Intoxication;
 - d. Conspiracy (i.e. avoidance of discipline, circumvent policy, aid in hindering investigation);
 - e. Criminal Conduct;
 - f. Deception or lack of candor;
 - g. Intentional Act;
 - h. Harm or risk of harm to the community or personnel;
 - i. Pattern of behavior; and,
 - j. Involvement of a weapon (i.e. loss of a firearm).
4. Incidents with Multiple Violations – In incidents where multiple violations are sustained, only the highest category corrective action plan will be administered. Lesser violations will have a disposition listed.

D. Corrective Action Categories

Category A	Category B	Category C	Category D	Category E
<p>Conduct violations in a single incident that have a minimal negative impact on the operations or reputation of LRPD. Restorative Supervision is not considered discipline.</p> <p>Corrective Actions may include:</p> <ul style="list-style-type: none"> • Restorative Supervision <p>A Corrective Action Plan of the above listed Action may be deemed appropriate.</p> <p>Training and/or additional work restrictions can be ordered in conjunction with any Actions listed above.</p>	<p>Violations that have more than minimal impact on the operations or reputation of LRPD. This Category includes violations that negatively impact relationships with other officers, agencies, or the public. This includes repeated acts from Category A within the time frames listed.</p> <p>Corrective Actions may include:</p> <ul style="list-style-type: none"> • Oral Reprimand • Written Reprimand <p>A Corrective Action or combination of the above listed Action may be deemed appropriate.</p> <p>Training and/or additional work restrictions can be ordered in conjunction with any Actions listed above.</p>	<p>Violations that have a pronounced negative impact on the operations or reputation of LRPD or on relationships with employees, other agencies, or the public. This includes repeated acts from Category B within the time frames listed.</p> <p>Corrective Actions may include:</p> <ul style="list-style-type: none"> • Written Reprimand • Suspension without pay less than 24 hours <p>A single action or a combination of the above listed sanctions may be deemed appropriate. Training and/or additional work restrictions can be ordered in conjunction with any Actions listed above.</p> <p>Corrective training is normally part of the corrective action plan for this category.</p>	<p>Violations that are contrary to the core value of LRPD or that involve a substantial risk of officer or public safety. This includes repeated acts from Category C within the timeframes listed.</p> <p>Corrective Actions may include:</p> <ul style="list-style-type: none"> • Suspension without pay for 24 to 120 hours. <p>Additional work restrictions can be ordered in conjunction with above Actions.</p> <p>Corrective training will be included in the corrective action plan for this category.</p>	<p>Violations that are contrary to the core values of LRPD. This includes acts of serious misconduct or acts of criminal conduct. This also involves any conduct that will effectively disqualify an employee from continued employment as a law enforcement officer. This includes repeated acts from Category D within the listed timeframes.</p> <p>Corrective Actions may include:</p> <ul style="list-style-type: none"> • Suspension without pay for more than 120 hours • Reduction in rank • Termination <p>Work restrictions and corrective training will be included in the corrective action plan for this category for actions less than termination.</p>

XVII. Disciplinary Matrix (Preventable Traffic Accident)

- A. The Little Rock Police Preventable Traffic Accident Disciplinary Matrix is intended to improve transparency, provide for uniform corrective action plans, and improve officer confidence in the disciplinary process. The Corrective Action Categories are the four levels of corrective action plans, Category 1 through Category 4 with Category 1 being the least severe and Category 4 being the most severe.
- B. General Guidelines
1. Accident Review Committee – The Department’s Accident Review Committee will only review Category 3 accidents. Category 1 and 2 accidents will be reviewed by the chain of command and if they determine the accident was preventable, a corrective action plan will be initiated.
 2. Repeated Acts – When considering preventable accidents, the “look back” period for elevation of corrective action plans is 12 months for all Categories. All Categories are considered for elevating the corrective action plan for any other category.
 3. The documented presence of mitigating or aggravating factors may cause a deviation outside the guidelines of this matrix. The presence of mitigating or aggravating factors must have a significant bearing on the violation in order to be considered.
 - a. Mitigating Factors may include but are not limited to:
 - (1) Necessity;
 - (2) Poor roadway conditions;
 - (3) Mechanical failures;
 - (4) Actions of un-involved motorists; and,
 - (5) Act of Nature.
 - b. Aggravating factors may include but are not limited to:
 - (1) Excessive speed;
 - (2) Gross negligence;
 - (3) Nature and extent of injury;
 - (4) Nature and extent of damages;
 - (5) Pattern of behavior; and,
 - (6) Use of drugs or alcohol.

C. Corrective Action Categories

Category 1	Category 2	Category 3	Category 4
<p>Preventable accidents in this category are minor in nature. They involve a single city vehicle that remains in functional condition. Examples include a flat tire due to curb strike or backing into a pole. Restorative Supervision is not considered discipline.</p> <p>Corrective Actions may include:</p> <ul style="list-style-type: none"> • Restorative Supervision <p>Training and/or additional work restrictions can be ordered in conjunction with any Actions listed above.</p>	<p>Preventable accidents in this category are not significant accidents. There is no injury to any involved party and the vehicles remain functional.</p> <p>Corrective Actions may include:</p> <ul style="list-style-type: none"> • Oral Reprimand <p>Training and/or additional work restrictions can be ordered in conjunction with any Actions listed above.</p>	<p>Preventable accidents in this category are significant, include injury or a vehicle being towed from the scene.</p> <p>Corrective Actions may include:</p> <ul style="list-style-type: none"> • Written Reprimand <p>Corrective training is normally part of the corrective action plan for this category.</p> <p>Additional work restrictions can be ordered in conjunction with above Actions.</p>	<p>Preventable accidents in category include any second accident within a 12-month window. These are repetitive at fault accidents</p> <p>Corrective Actions may include:</p> <ul style="list-style-type: none"> • Written Reprimand • Suspension without pay for 8 hours or more. • Corrective actions for this category follow the concept of progressive discipline. <p>Corrective training will be included in the corrective action plan for this category.</p> <p>Additional work restrictions can be ordered in conjunction with above Actions.</p>

Use this policy for all accident investigations; GO 302 VI.H. Improper, negligent or reckless handling of departmental vehicles (vehicle accident)

GO 211 XVII B.1. Accident Review Committee - The Department's Accident Review Committee will only review Category 3 accidents. Category 1 and 2 accidents will be reviewed by the chain of command and if they determine the accident was preventable, a corrective action plan will be initiated.

GO 211 XVII B.2. Repeated Acts - When considering preventable accidents, the "look back" period for elevation of corrective action plans is 12 months for all Categories. All Categories are considered for elevating the corrective action plan for any other category.

GO 211 XVII B.3. The documented presence of mitigating or aggravating factors may cause a deviation outside the guidelines of this matrix. The presence of mitigating or aggravating factors must have a significant bearing on the violation in order to be considered.

GO 211 XVII B.3.a. Mitigating Factors may include but are not limited to: (1) Necessity (2) Poor roadway conditions (3) Mechanical failures (4) Actions of un-involved motorists (5) Act of Nature

GO 211 XVII B.3.b. Aggravating factors may include but are not limited to: (1) Excessive speed (2) Gross negligence (3) Nature and extent of injury (4) Nature and extent of damages (5) Pattern of behavior (6) Use of drugs or alcohol

Additions and revisions are *italicized* and underlined.

Deletions are denoted with a strike through.