

# CHAPTER VIII

## ADMINISTRATION OF DISCIPLINE

The purpose of this chapter is to ensure the integrity of the Department of Police by establishing procedures for handling complaints, either internal or external, against members of the **D**epartment. These procedures will assure the prompt and thorough investigation of alleged infractions and other reported incidents, to clear those who are not guilty, establish guilt, and facilitate suitable disciplinary action. This chapter is based on the policy that discipline is the function of command and a well-disciplined force is a force which voluntarily and ungrudgingly conforms to all rules and orders.

- A. The incidents which are to be handled, in accordance with the provisions of this chapter, are alleged or suspected violations of statutes, ordinances, and all rules, regulations, and orders of the Department of Police, by any sworn member of the Department of Police.
- B. The incidents include those alleged violations reported to supervising or commanding officers by members of the Department of Police, through personal knowledge or by written information received. All complaints originating within the Department shall be in writing and signed by the member alleging the violation(s).
  1. All reported Equal Employment Opportunity (E.E.O.) complaints will be reported to the Commanding Officer of the Office of Professional Standards immediately. This must include any complaint concerning allegations of discrimination based upon age, race, gender, disability, or any other protected category, as well as allegations of harassment and hostile work environment.
  2. Any personnel, **sworn or civilian**, may make a complaint/allegation with the City Department of Personnel if he/she so chooses. This would be made to the Director of Personnel, the **Commanding Officer of**

*the Human Resources Division*, or the Employee Relations Advisor. If the complainant is an officer, he or she will be counseled to report same to the Wilmington Police Department, Office of Professional Standards.

- C. Anonymous information and unsworn allegations and complaints about or against any member of the Department may be investigated at the discretion of the Inspector of Staff Inspections. In the event he concludes no investigation is warranted, he shall document such a determination.
- D. No complaint against a member of the Department of Police, will be honored after a period of three (3) years, from the date of the alleged incident, except in extreme circumstances. Under no circumstances will any complaint be honored after a period of five (5) years from the date of the alleged incident.
- E. A range of punishment has been established for each specific violation (see the Classification of Punishment chart in Appendix "A"). It is important to note that the investigating supervisor, the Division Commander, members of the **Complaint Hearing** Board, and the members of the Appeal Board are bound by the specified range of punishment for any violation.
- F. Primary responsibility for discipline for minor infractions lies with the first line supervisor.
- G. All supervisors have the authority to administer summary or major discipline. First line supervisors will:
  - 1. confer with their immediate supervisor,
  - 2. conduct a thorough investigation of the conduct in question,
  - 3. review the incident with the **Office of Professional Standards**,
  - 4. initiate the appropriate corrective measures, and
  - 5. inform the employee in question of the outcome.