

McKinney Police Department General Orders

105.002

Subject Corrective Measures	
Reference Professional Standards	
Effective Date January 17, 2006	Revised Date February 4, 2014
Related General Orders 105.001	Related SOPs
TPCA Recognition Program Standards 2.08	CALEA Standards 26.1.4.a-c, 26.1.5, 26.1.6, 52.2.7
Related Public Safety Software Information	Comments Previous 502.00, Require Council Approval for modification

I. PURPOSE

This General Order provides a guide for supervisors in their determination of violations and in their selection of disciplinary actions or recommended actions, which are effective but of no greater severity than necessary, to deter repeated incidents and which will maintain integrity and community respect for the police department.

Corrective measures or disciplinary actions are sometimes necessary to deter actions or omissions which are inconsistent with the goals, policies, and rules of the McKinney Police Department and the City of McKinney. Hereafter such actions or omissions are referred to as violations.

II. PHILOSOPHY

Whenever possible, the McKinney Police Department attempts to resolve performance and behavior problems by using an informal process between the supervisor and the employee. However, there are circumstances when work performance and behavior problems must be resolved through a formal disciplinary process.

The image of the McKinney Police Department depends on the personal integrity and discipline of all employees. To a large degree, the public image of the department is determined by the professional response of the department to allegations of misconduct against it or its employees. Therefore, the department must competently and professionally investigate all allegations of violations.

III. PROCEDURES

A. Determination of Violations

Violations include any action or inaction which unnecessarily inhibits the accomplishment of (or progress toward the accomplishment of) a department goal or which violates a rule. The determination of a violation is usually made by an employee's immediate supervisor. Prior to making such determination the supervisor will be careful to consider all reasonably attainable information and to avoid letting personal feelings (positive or negative) about the employee interfere with his/her judgment.

B. Suspected Criminal Acts

When an employee suspects another employee has committed a criminal act, any employee having knowledge of the suspected criminal act shall notify the Office of

Internal Affairs or the Office of the Chief of Police. The legal rights of an employee suspected of any criminal act should be insured in the same manner as any other citizen's.

Failure to immediately report a criminal act is cause for disciplinary action.

C. Progressive Disciplinary Actions

The McKinney Police Department uses a progressive approach to discipline, wherein disciplinary actions for repeated violations increase in severity. Supervisory personnel will take appropriate disciplinary action using the suggested guidelines in the Disciplinary Matrix presented in this General Order as a reference.

In some cases however, due to the nature of the conduct in question, it may be appropriate to invoke a higher or lower disciplinary recommendation than the minimum or maximum level recommended. When these circumstances exist, it is the responsibility of the supervisor making the recommendation to justify the higher or lower level of discipline.

1. Progressive Disciplinary Actions include:

- (a) Coaching, Counseling, or Training: The purpose of coaching, counseling or training is to allow the supervisor to bring the employee's attention to the need to improve his/her work performance, work habits, or behavior and to serve as a warning against further unsatisfactory conduct. The supervisor should use these actions to identify and define in writing the performance area needing improvement and inform the employee as to how improvement can be realistically achieved. [26.1.4.a, b](#)
- (b) Verbal Reprimand: A verbal reprimand is best suited for minor rule infractions or incidents of substandard performance. A verbal reprimand should identify the violations and indicates areas needing improvement. A written record of this warning shall become a permanent part of the employee's personnel file. [26.1.4.b](#)
- (c) Written Reprimand: The purpose of the written reprimand is to communicate to the employee the need to improve his/her work performance, work habits, or behavior when coaching, counseling, or training has not resulted in expected improvement or when disciplinary action more serious than coaching, counseling, or training is warranted. A written record of this warning shall become a permanent part of the employee's personnel file. [26.1.4.b](#)
- (d) Suspension Without Pay: The purpose of a suspension, without pay, is to communicate to the employee that his/her work performance, work habits or behavior is not acceptable and does not conform to departmental standards. This form of punitive discipline is more serious in nature and will be used when a previous written reprimand has not resulted in expected improvement or when disciplinary action more serious than a written reprimand is warranted. A suspension without pay cannot exceed thirty (30) days and no

employee can be suspended for more than thirty (30) days in a calendar year. [26.1.4.c](#)

- (e) Demotion: A demotion is the movement of an employee from a higher rank or position to a lower rank or position. The purpose of a demotion is to remove employees from a higher position of authority or responsibility when their work performance, work habits, or behavior are not in compliance with departmental standards. This form of punitive discipline is serious in nature and will be used when a suspension without pay, has not resulted in expected improvement or when disciplinary action more serious than a suspension without pay, is warranted. Demotions will also result in the reduction of salary of at least five percent (5%). [26.1.4.c](#)
- (f) Termination of Employment: Termination is the most serious form of punitive discipline. The purpose of a termination is to remove an employee from the department when his/her work performance, work habits or behavior cannot be corrected through other means of discipline or when disciplinary action more serious than any other form of discipline is warranted. [26.1.4.c](#)

D. Review of Recommended Actions [26.1.5](#)

1. Once a supervisor has determined that an employee is responsible for a violation or at the conclusion of an Internal Investigation in which the allegations of a violation are Sustained, each supervisor in the employee's Chain of Command will make a disciplinary recommendation.
2. Any of the supervisors in the employee's Chain of Command can concur with the disciplinary recommendation or recommend any other disciplinary action. Supervisors use their best judgment to determine the level of disciplinary action based on the Disciplinary Matrix or recommend alternative disciplinary action(s) based on the nature of the conduct.
3. The Chief of Police has final authority on all recommendations for disciplinary actions. The Chief of Police can decide to uphold, modify or deny such recommendations and the Chief of Police will communicate the decision to the employee's Chain of Command.

E. Emergency Actions [26.1.5](#), [52.2.7](#)

A supervisor may relieve an employee from duty whenever the supervisor believes the employee's continued presence is dangerous to himself or others, or that the person's presence constitutes interference with the effective operations of the department. Examples include insubordination of a serious nature or when an employee reports to work intoxicated.

1. The Chief of Police or **his/her** designee shall be notified immediately. Such relief from duty will be reviewed by the Chief of Police at the earliest opportunity.
2. Occasionally, a violation occurs when the employee's immediate supervisor is not available. If another supervisor is present and feels that the behavior in question requires immediate corrective action, that supervisor takes the corrective action

believed necessary that would be consistent with the action the supervisor would take with an employee under his/her supervision.

3. The supervisor shall notify the disciplined employee's immediate supervisor as soon as practical. The action may then be altered by the employee's immediate supervisor.
4. The supervisor making the decision to initiate disciplinary action in such cases does so only if the supervisor believes it is immediately necessary to maintain effective operations or to uphold the professional reputation of the department.

F. Appeals [\(2.08\)](#), [26.1.6](#)

An employee who receives disciplinary action in excess of a written reprimand may appeal the disciplinary action, in writing and within the specified time period, in accordance with City policy.

G. Disciplinary Matrix

In order to insure that discipline is predictable, fair, and consistent among all ranks, the McKinney Police Department has established a recommended disciplinary matrix to assist supervisors in determining the appropriate level of discipline in the instances enumerated below.

1. The application of the disciplinary matrix is designed to take into account any instance of previous discipline of a similar nature.
2. Previously unrelated violations that resulted in disciplinary action will be considered and could result in the appropriate upward adjustment in the amount of discipline.
3. Additionally, the facts and consequences of any violation will be taken into account when making adjustments, either higher or lower, in the amount of discipline.

Matrix

- C – Counseling/Coaching/Training
- V – Documented Verbal Reprimand
- W – Written Reprimand
- S – Suspension Without Pay
- D – Demotion
- T – Termination of Employment

Violation	First Offense	Second Offense	Third Offense
Failure to appear in court	V	W	S
On-Duty Preventable Accident (non-injury / minor damage)	C	W	S
On-Duty Preventable Accident (injury / death / major damage)	Dependent upon the severity of the damage and/or injuries and other		

	factors within the employees control		
Loss or damage to City property	C	W	S
Failure to report loss or damage to City property	W	S	T
Tardy	C	W	S
AWOL	S	T	-
Verbal Abuse or Discourtesy	V	W	S
Failure to complete reports	C	V	W
Loss or misplacement of evidence	W	S	T
Outside employment without authorization	W	S	T
Inappropriate email or MDC messages (minor)	V	W	S
Inappropriate email or MDS messages (offensive)	W	S	T
Failure to notify a supervisor as required	V	W	S
Insubordination (Failure to follow an order)	S	T	-
Sexual harassment or discrimination	Dependent upon the facts and investigative results		
Dereliction of duty	W	S	T
Willful misrepresentation	T	-	-
Improper tactics (safety)	C	V	W
Improper tactics (resulting in injury to others)	S	T	-
Excessive Use of Force / Mistreatment	T	-	-
Failure to meet off duty employment requirements	C	V	W
Public Intoxication (off duty)	S	T	-
Off duty altercation	Dependent upon the facts and investigative results		
Improper or unauthorized use of City vehicles or equipment	W	S	T
Criminal violations (Misdemeanor B and above)	Dependent upon the facts and investigative results		