

GENERAL ORDERS | SOUTH MIAMI POLICE DEPARTMENT



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Chapter: 12 Discipline and Conduct	Number of Pages: 16	
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By Order of Chief of Police : Rene G. Landa Chief of Police		Revised: 10/01/2020 Status: Amended

SECTIONS:

- 12.1.1 Definitions
- 12.1.2 Rules and Regulations, Code of Conduct, and Appearance
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- 12.1.4 Disciplinary System
- 12.1.5 Role/Authority of Supervisors Relative to Disciplinary Actions
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- 12.1.8 Disciplinary Records

RESCINDS: Any other existing orders in conflict.

PURPOSE: To establish departmental policy and provide guidelines governing the behavior, conduct, appearance, and efficient service of the police department members; to establish a departmental standard for a progressive form of disciplinary action; to establish roles and responsibility of department members in the disciplinary process. A departmental goal is to maintain professional standards of conduct for employees while remaining responsive to the citizens of the City of South Miami.

SCOPE: All departmental personnel.

POLICY: Knowledge of the steps involved in administering the disciplinary process should promote improved communications and applications of the concepts aimed at ensuring that employees are aware and are capable of doing what is expected of them. Understanding the purpose and procedures will simplify proper job performance and conduct.

The philosophy of the department is to utilize counseling techniques whenever possible to train or guide employees. If counseling techniques do not result in the desired improvement in the employees job performance, imposition of progressive discipline may become necessary to impress upon the employee the necessity for complying with prescribed directives; e.g., orders, directives, policies, procedures, and rules. Disciplinary action may be appropriate to rectify improper action if an employee violates applicable laws and ordinances, or pronounced deviation from departmental directives.

12.1.1 DEFINITIONS

- A. **BUSINESS DAYS:** Monday through Friday, excluding holidays (0900-1700 hours).
- B. **CALENDAR DAYS:** All days in a month, including weekends and holidays.
- C. **CITY MANAGER APPEALS:** Supervisors are responsible for the entire disciplinary process. Disciplinary action may result in the employee appealing the action to the City Manager or his/her designee. It is incumbent upon the concerned supervisor(s) to have all applicable documentation and other supportive material available and be prepared to testify in support of his/her actions. Suspensions, Demotions and Dismissal (Terminations) are appealable to the City Manager or his/her designee.
- D. **COLLECTIVE BARGAINING AGREEMENT (C.B.A.):** Refers to the Collective Bargaining Agreements between the City of South Miami and either the South Florida Police Benevolent Association or the Fraternal Order of Police. Supervisors will be knowledgeable of the contents of the Agreement and any other collective bargaining agreement between the City and departmental employees.
- E. **COACHING:** A level of discipline in which a formal record (D.A.R.) of discussion with an employee designed to guide or direct the employee to improve job performance, standard, behavior and/or conduct is documented.
- F. **COUNSELING:** A level of training/ discipline in which an Informal (verbal) or formal (documented) discussions with an employee designed to guide or direct the employee to improve job performance. Counselings are not recorded on Disciplinary Action Reports. Counselings shall be recorded on a memorandum or as a note in the supervisor's division level personnel file.

- G. **DISCIPLINE:** “Discipline” is defined as an action initiated and administered by supervisors when positive corrective measures designed to train or effect change in behavior are unsuccessful in attaining satisfactory employee performance; or action initiated and administered by supervisors when an employee commits a pronounced deviation regarding a rule, order, directive, or procedure.
- H. **DISCIPLINARY ACTION REPORT (D.A.R.):** A charging document to a member intended to provide the basic information concerning disciplinary action. This report is initiated and issued by a supervisor when positive corrective measures designed to train or effect behavior changes are unsuccessful in attaining satisfactory employee job performance, standard, behavior and/or conduct. Also, action initiated when an employee commits a pronounced deviation regarding a directive, policy, city ordinance, or law. The D.A.R. shall be retained in the member’s official personnel file.
- I. **DISMISSAL:** The involuntary termination of employment of a member for disciplinary reasons.
- J. **DOCUMENTATION:** Supervisory recording of incidents, actions, and/or behavior. This includes performance evaluations, observed incidents and informal or formal counseling. Employees will be notified when documentation is made. The purpose of documentation is to establish a pattern of behavior or course of conduct and corrective action taken. This may include but is not limited to:
1. Unsatisfactory work habits must be recorded by supervisors.
 2. Employee performance reports or evaluations must note unsatisfactory performance that is indicative of the unsatisfactory behavior.
 3. Supervisors will maintain a written record of unsatisfactory performance and counseling, including dates, time and circumstances of each entry. Supervisors shall also maintain documentation of informal counseling.
 4. Pattern of behavior or course of conduct can only be established through supportive and documented recordkeeping procedures. This documentation should include all observed incidents informal/formal actions, and performance reports.

- K. **EMPLOYEE HISTORY:** If discipline is generated, the D.A.R.'s Personnel Discipline Profile Sheet will indicate the employee's prior disciplinary record and be weighted when determining the final sanction outlined in the disciplinary matrix.
- L. **LAW ENFORCEMENT OFFICERS' BILL OF RIGHTS:** Supervisors shall be aware of the content and applicability of the Law Enforcement Officers' Bill of Rights (F.S.S. 112) and adhere to its conditions.
- M. **NOTICE OF DISCIPLINE/ INTENT TO DISCIPLINE:** A charging document (memorandum) to a member intended to provide the basic information concerning disciplinary action resulting in suspension, demotion and/or dismissal (used in disciplinary action resulting from an Internal Affairs investigation). The Notice of Discipline shall be retained in the member's official personnel file.
- N. **OFFICIAL PERSONNEL FILE:** Personnel files maintained in the Office of the Chief and Human Resources Division.
- O. **PUBLIC RECORDS REQUEST:** Request to examine, inspect and or copy public records as defined by Florida Statute (FS) Chapter 119, Public Records, and Departmental General Orders governing "Records Retention and Disposition."
- P. **REMEDIAL TRAINING:** Additional training provided to SMPD employees, who require further skills development as determined by a supervisor or instructor.
- Q. **REDUCTION IN RANK (DEMOTION):** A level of discipline administered to a member in which the member's rank or job title is reduced within the organization.
- R. **SUPERVISORY DISCRETION:** The appropriate level of counseling or disciplinary action must be fair and objective and based on the disciplinary matrix. The initial level of counseling or degree of discipline selection or recommendation is at the discretion of the supervisor but must be justified based on past performance, conduct, and the totality of the circumstances. The final approval rest with the Chief of Police and/or the City Manager.
- S. **SUSPENSION:** A level of discipline administered to a member in which the member is temporarily prohibited from performing official duties (paid or unpaid).
- T. **VIOLATION:** Supervisors will cite a specific law, county or city directive, rule, order, policy, or procedure when counseling an employee or initiating disciplinary action.

- U. **WRITTEN REPRIMAND:** Level of discipline administered to members on a Disciplinary Action Report (D.A.R.) as a result of violation(s) of a specific law(s), city directive, rule, order, policy or procedure.

12.1.2 CODE OF CONDUCT, RULES AND REGULATIONS, AND APPEARANCE

- A. The Code of Conduct that all South Miami Police Department employees will abide by is to work as professionals to deliver the best quality of service to the public. [CFA7.01M] Employees are required to treat the public, their supervisors, and their fellow employees with the proper respect in order to best carry out the mission of the Department. The South Miami Police Department and its employees will treat the diverse community it serves without prejudice and within the guidelines of federal, state, and city laws. They will be guided in that task by the rules and regulations of the Department and the City of South Miami.
- B. The rules and regulations of the South Miami Police Department are designed to promote efficiency, discipline and good public relations by setting forth rules to govern the conduct of every member of the police department, both on and off duty. As a department, police officers need to hold public trust. If the Department loses trust and support of the public, the police cannot carry out the duties they are sworn to perform. Accordingly, it is essential that all violators of these rules be disciplined in consideration to fairness regarding progressive discipline principles. All employees of the police department shall be directed to follow the rules and regulations in this General Order.
- C. Additional appearance specifications and appearance standards are outlined in General Order 18.3 – Equipment and Appearance.
- D. Availability to all Personnel: The importance of the Code of Conduct and Rules and Regulations will be emphasized repeatedly during all levels of training. Each employee receives a copy of the City Employee Manual and the South Miami Police Department's General Orders Manual (electronically). Additionally, the Department's Mission Statement is posted throughout the police facility. It will be each employee's responsibility to read, understand and comply with all rules, regulations or policies contained herein.

12.1.3 ANTI-DISCRIMINATION/UNLAWFUL HARASSMENT

- A. The South Miami Police Department adheres to the equal opportunity policy of the City of South Miami in all aspects of employee relationship. The specifics of this policy are delineated in the City of South Miami Employee Policies and Procedures Manual. No employee, applicant, citizen, visitor, vendor, or other individual will be discriminated against based on their race, gender, religion, color, national origin, disability, marital status, age, genetic information, or sexual orientation. The South Miami Police Department has a zero tolerance policy for all forms of discrimination or harassment. The Department does not tolerate any form of offensive conduct that has the effect of severely interfering with an employee's work performance or creating an intimidating or hostile work environment. Failure to adhere to this policy will result in appropriate disciplinary action, up to and including termination of employment.

- B. An employee who believes he or she has been discriminated against and/or harassed shall immediately report the occurrence to the Chief of Police, the Human Resource Director, or the City Manager. The report may be made orally or in writing. All complaints will be fully investigated by the Human Resource Director or other individual designated by the City Manager. The investigation will be made in compliance with City of South Miami and Departmental policies, as well as the appropriate state and federal laws. [CFA 7.07M]

- C. Sexual/Unlawful Harassment Defined: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical sexual conduct, constitute Sexual Harassment when:
 - 1. Submission to such conduct is made, either explicitly or implicitly, a condition of employment;
 - 2. Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual's employment;
 - 3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

The City of South Miami and the South Miami Police Department wish to provide its employees with a pleasant work atmosphere. Sexual harassment of any kind and other forms of unlawful harassment destroys that atmosphere and does not further the business mission of the City and the police department. It is the policy of the South

Miami Police Department that no employee's work or emotional well-being should suffer because of sexual harassment or other forms of unlawful harassment.

The South Miami Police Department will not tolerate any sexually related conduct by any employee, vendor, customer or supplier, which harasses, disrupts, embarrasses, intimidates, offends or threatens another person. Any employee, vendor, customer or supplier, who sexually harasses or otherwise unlawfully harasses another person during work hours, while on City property and/or while conducting departmental duty shall be subject to the strictest disciplinary measures available to the department under the circumstances, up to and including termination of employment and/or cessation of contact with the department.

D. The following are guidelines that the South Miami Police Department will follow:

1. All employees are expected to act in ways, which establish a professional work atmosphere free of sexual harassment, sexual discrimination, or other forms of unlawful harassment. The Chief of Police shall ensure that the workplace is free of sexual harassment and other forms of harassment.
2. All employees have a duty to report any suspected sexual harassment by City of South Miami employee, or a non-employee while on City property or when City business is being conducted, to the Chief of Police even if they are not the victim. An employee's rights and status with the department shall not in any way be harmed due to any good faith report of suspected sexual harassment or harassment in general, nor shall any retaliation against such employee be tolerated.
3. No supervisor or non-employee shall threaten or insinuate that an employee's refusal to submit to sexual advances, or any type of sexual harassment, will adversely affect his or her employment in any way including evaluations, wages, advancement, duties, shifts, disciplinary matters or benefits.
4. Any other sexually oriented or harassing behavior by an employee, which is unwelcome by another person, is prohibited. Such conduct may include, but is not limited to:
 - a. Repeated sexual flirtations, advances, staring or propositions;

- b. Verbal abuse of a sexual nature, including sexually related comments or jokes, requests for sexual favors, graphic or degrading comments about a person's appearance or sexually-degrading words to describe a person;
 - c. Sexually-suggestive body movements directed toward a person;
 - d. Any uninvited physical contact which is sexual or offensive, such as patting, pinching, groping, or constant brushing against another's body;
 - e. The display of sexual-suggestive pictures or objects in the workplace other than what is necessary in the normal course of business; and
 - f. Any unlawful behavior that creates an intimidating, hostile, or offensive work environment.
- E. Any sexually harassing behavior directed toward a non-employee by an employee during working hours or while on City property will be treated as if the harassment was directed toward an employee.
- F. Any person who believes that they have been harassed in the work place shall lodge a complaint (either verbal or written) directly with any of the following individuals: the City Manager, the Human Resources Director, the employee's supervisor, or the Chief of Police.
- G. Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964. The employee may have both rights and responsibilities under this act. For more information, see the EEOC website at <http://www.eeoc.gov/eeoc/publications/fs-sex.cfm>.

12.1.4 DISCIPLINARY SYSTEM [CFA 7.02M]

- A. Discipline is the responsibility of each individual. A well-disciplined police force is one that voluntarily and ungrudgingly conforms to all rules and orders. The South Miami Police Department has a structured procedure to be used in cases of alleged or suspected violations of city rules, Departmental rules or orders, City of South Miami Ordinances, or any applicable state/federal statutes, by departmental employees. This procedure is to ensure the prompt and thorough investigation of complaints to clear the innocent, establish the guilt of wrongdoers, and facilitate

fair, equitable, and consistent disciplinary action (Specific procedures for the investigation of alleged employee misconduct are outlined in General Order 25.1 – Internal Affairs.)

- B. **Training:** Improper or failure to utilize training is frequently the cause of actions or performance that may result in a disciplinary action. As a part of the progressive disciplinary process, supervisors will ensure that all employees have been properly instructed and trained in matters bearing on their job performance. When necessary, remedial training will be conducted upon the recommendation of the immediate supervisor of those employees who:
1. Consistently demonstrate a lack of skills, knowledge, or ability in job-task performance based on evaluation reports and first-hand observation by the supervisor; or
 2. Have received disciplinary action that may be corrected through supplemental training (i.e. Driver Improvement Program for on-duty vehicle crashes). NOTE: Failure to participate or respond to remedial training may result in disciplinary action up to and including termination of employment as recommended by the Chief of Police.
- C. **Verbal Counseling:** In order for employees to meet the goals of the departmental mission, they must be capable of successfully performing their jobs. When deficiencies appear in the performance of an employee, a supervisor may have to provide counseling to the employee to help them meet their potential and achieve the goals of the Department. Verbal Counseling shall normally be appropriate in the case of minor violations which have not been of a recurring nature (refer to Discipline Matrix). In many cases, the mere verbal discussion of these deficiencies may cause correction. Supervisors should document any counseling sessions with a subordinate in memo form to record when these attempts to point out deficient performance occurred. These reports are not mentioned in the employee's annual evaluation as long as the problem(s) correct themselves. Verbal Counseling is not considered punishment in itself, but a supplement to training. The purposes of verbal counseling are as follows:
1. To provide an opportunity for the supervisor to explain why he or she is dissatisfied with the employee's conduct or performance;

2. To permit the employee an opportunity to present his or her version of the facts and offer information in mitigation of the conduct;
3. To educate or explain procedural errors in an attempt to reach an understanding so that the employee complies with proper procedures, thus excluding the need for formal discipline.
 - a. Areas of concern for counseling sessions include:
 1. Job performance: Pertaining to assigned or self-initiated tasks;
 2. Personnel policies: Pertaining to departmental policies and procedures;
 3. Interpersonal relationships: Pertaining to relationships with co-workers;
 4. Personal relationships: Pertaining to personal matters which affect the employee's work performance.

D. Administration of Discipline: Punitive Actions, procedures and criteria in the interest of discipline: In the interest of fairness and equality, the department strives to be consistent in using progressive discipline, including punitive action. Therefore, an employee should be able to expect the same fair treatment from any supervisor. If, after training, counseling and the desired corrective action, the employee has still not modified his/her behavior to the desired performance, it may become necessary to take disciplinary action. Training, counseling and punitive disciplinary action will be consistent throughout the department.

The South Miami Police Department practices the concept of progressive discipline. Verbal Counseling/Disciplinary Reports are available for both sworn and non-sworn personnel. These forms shall be used for violations of department policy, rules and regulations, and procedures.

Verbal Counseling Memo/Disciplinary Action Report will be completed by the member's immediate supervisor and signed. The second level supervisor will also review and sign the form(s).

In the case of a D.A.R., the report and attachments will be reviewed and acknowledged by the respective chain of command up to the Assistant Chief. The D.A.R. will be return to the employee's immediate supervisor and the reason for counseling and/or discipline will be discussed with the member. The employee shall sign the form acknowledging the counseling/disciplinary session. Signing of the form by the member does not indicate that the member agrees or disagrees with the

counseling/discipline itself. The member's signature merely acknowledges receiving the counseling and/or disciplinary report.

The member has the right to file a written response within five (5) calendar days regarding the contents of the Disciplinary Action Report. The response will be contained within or affixed to Disciplinary Action Report and forwarded via the respective chain of command to the Chief of Police for final review. The member will be provided with a copy of the form and final disposition (in cases where the recommendation is a coaching or reprimand report).

In cases where the recommendation is suspension or dismissal, the final departmental disciplinary authority and responsibility rests with the City Manager, or designee. No departmental discipline shall take effect until the completion and approval of the Disciplinary Action Report or Notice of Discipline and related information, which shall include but are not limited to:

1. The violation of the rules, policy, or procedure;
2. The facts describing the violation;
3. The Immediate Supervisor's comments; and
4. The recommended disciplinary action.

E. **Sanctions:** The following types of sanctions may be imposed for violations of the rules and regulations, policies and procedures, orders, directives, manuals, or duties and responsibilities at the discretion of the immediate supervisor. The level of sanction is based on the established Discipline Matrix Guide. However, the authority for final disciplinary approval lies with the Chief of Police and/or City Manager (depending of the sanction). All sanctions shall be documented properly by the completion of the disciplinary paperwork. The following are the established levels of sanction:

1. **Verbal Counseling:** A Verbal Counseling is administered in person by a supervisor to a member of lesser rank. Verbal Counseling shall normally be appropriate in the case of minor violations which have not been of a recurring nature.
2. **Coaching Report:** Coaching Reports shall normally be appropriate in the case of minor violations which require correction and have not been of a recurring nature. Coaching Reports shall be completed and placed in the employee's personnel files.

3. **Written Reprimand:** These reports may be issued for violations of minor to moderate in nature (based on the circumstances and totality of the case) and/or in the instance where a Coaching Report was previously given for a minor violation and the action has reoccurred. A written reprimand shall be completed and placed in the employee's personnel file.
4. **Relieved from Duty:** In those instances deemed necessary for the good of the department or the member, a supervisor may temporarily relieve a member from duty. Upon being relieved from duty, members shall surrender their police badge, police identification card, and firearm, if applicable. Upon relieving a member from duty, the supervisor shall prepare a memorandum detailing the circumstances involved for relieving the member from duty and submit by the end of their shift.

The incident shall be reviewed by the Chief of Police, or designee, at the start of the next regular business day. The member shall normally receive full pay while relieved from duty, unless otherwise specified by the Chief of Police or City Manager. The member being relieved from duty and the supervisor relieving such member shall be required to report to the Chief of Police on the next business day at 0900 hours unless otherwise directed by a competent authority.

5. **Suspensions:** Employees may be suspended without pay in accordance with the guidelines listed in the Discipline Matrix. Suspensions without pay may be discharged through the use of limited accrued vacation or compensatory time upon written request (see C.B.A.). However, the Police Chief, with the City Manager's approval, has sole discretion to grant the use of leave time in lieu of suspension from duty.
6. **Reduction in Rank (Demotion):** The use of reduction in rank shall be used strictly in cases of a serious nature or when members are not performing duties commensurate with their rank, or by the will of the Chief of Police (for cause).
7. **Discharge:** Termination of employment from the Department may be imposed on a member for:
 - a. A member's failure to perform the duties and responsibilities as required by the department;

- b. Failure to maintain compliance with Departmental Rules and Regulations, General Orders, and the laws of the State, County and City of South Miami; and/or
 - c. A serious violation of a rule, regulation, policy, or procedure, or any combination thereof, which constitutes a willful, intentional or negligent disregard of any rule, regulation, policy or procedure.
8. **Formal Charges:** When formally charged with a felony criminal offense, a member shall be relieved of duty without pay. Additionally, a member may be relieved of duty without pay at the discretion of the Chief of Police, when charged with any criminal offense concerning moral turpitude or when the offense is subject to revocation of FDLE Certification Standards. The member may be reinstated with all applicable pay and allowances if not convicted.

A member may be simultaneously in violation of departmental rules or regulations arising from the same incident as the formal charge. For the purpose of this rule, a formal charge shall mean an indictment, information or arrest.

12.1.5 ROLE/AUTHORITY OF SUPERVISORS RELATIVE TO DISCIPLINARY ACTIONS

- A. The role of a supervisor is crucial in the disciplinary process. Supervisors have the best opportunity to observe the conduct and appearance of their personnel and detect those instances when disciplinary actions are warranted. Supervisors also have the responsibility to understand the personality traits of the personnel under their supervision. The disciplinary role and authority of departmental supervisors include the following:[CFA7.03]
- 1. All supervisory levels (Acting Sergeants through Chief of Police) have the duty and authority to enforce all established standards of ethics, conduct, and performance; all policies, procedures, directives, verbal or written orders, ordinances, and/or laws that affect members under their command.
 - 2. When a supervisor becomes aware of a violation of any rule or regulation, he/she shall take the appropriate corrective action (i.e.: training, counseling, discipline).

3. When discipline is necessary to correct the issue, a "Counseling Memo" or Disciplinary Action Report form will be completed by the member's immediate supervisor and signed.
4. The Disciplinary Action Report shall be reviewed and acknowledged by the second level supervisor all the way up to the Assistant Chief.
5. The Disciplinary Action Report shall then return to the supervisor issuing the discipline to discuss with the affected employee.
6. The affected employee must sign the D.A.R. acknowledging receipt.
7. The affected employee will be afforded 5 calendar days from the day of D.A.R. acknowledgement to provide a written response (rebuttal).
8. After the 5 calendar day period, the D.A.R. will be forwarded to the Chief of Police for final review through the same chain of command.
9. In the case of a Coaching or Reprimand (D.A.R.), The Chief of Police will make a final disposition and returned the D.A.R. to the supervisor issuing the discipline for the final acknowledgement signature from the affected employee.
10. A D.A.R. containing a recommendation by the Chief of Police for suspension, demotion, and/or dismissal shall be forwarded to the City Manager for final disposition.
11. No departmental discipline shall take effect until the completion and approval of the D.A.R.
12. Any supervisor may temporarily relieve a departmental employee from duty to prevent embarrassment, discredit to the department, or if the employee has been involved in a traumatic incident. Nothing in this section will preclude an employee from being immediately relieved of his or her duties, with pay, pending an internal investigation if, in the judgment of the Chief of Police or City Manager, such action is deemed necessary.

12.1.6 DISCIPLINARY APPEALS PROCEDURES

- A. The procedures to be followed for disciplinary appeals for employees of the South Miami Police Department are to follow the grievance procedures outlined in the individual collective bargaining agreements. For grievance procedures involving sworn officers and sergeants of the Department see appropriate bargaining unit contract (CBA). [CFA 7.06]
- B. No law enforcement officer shall be discharged, disciplined, demoted, denied promotion, transferred, reassigned, or otherwise discriminated against in regards to employment, or be threatened with any such treatment, by reason of his/her exercise of the rights granted by the City or provided for in any ratified Collective Bargaining Agreement.

12.1.7 TERMINATION/DISMISSAL NOTICE

- A. Employees may be terminated from the service of the South Miami Police Department for violations of the Employee Code of Conduct as set forth in the City of South Miami Employee Policies and Procedures Manual, for violations of departmental rules and regulations and/or for violations of the law. Although all employees of the City of South Miami are employed at-will, an employee whose termination has been recommended shall be given the written notice of their right to address the City Manager before a final decision is made. The City Manager must approve all terminations before they take effect. An employee may be suspended pending the disposition of this meeting.
- B. If an investigation of employee misconduct results in termination, the employee will receive written notice, which will include the following information:
 - 1. A written statement citing the reason for termination; [CFA7.04(a)]
 - 2. The effective date of termination; {CFA7.04(b)} and
 - 3. A statement outlining the employee's rights. [CFA7.04(c)]

12.1.8 DISCIPLINARY RECORDS

- A. The City of South Miami Police Department will maintain a departmental personnel file for each member of the department. The file will contain documentation of commendations, disciplinary actions, Payroll Action Forms, and other employment related materials necessary for employment record purposes.
- B. The Office of the Chief of Police will maintain departmental personnel files and update them as required. These files will contain copies of personnel documentation, Payroll Forms, F.D.L.E. information and training certificates, disciplinary actions, etc. Supervisors will have access to these files to research personnel information, if necessary, for disciplinary and performance evaluation purposes.
- C. Internal Affairs Investigation files contain complete records of any internal investigation and any subsequent action taken as a result of such internal investigation. These locked files will be maintained separately from employee personnel files by the Internal Affairs Unit.
- D. If an employee is the subject of discipline in the form of a documented Disciplinary Action Report, the report will be made a part of the employee's personnel file. A second copy will be placed in the employee's division file.
- E. If an employee is the subject of disciplinary action as a result of an internal affairs investigation, a copy of the internal investigation review findings report will be forwarded to the City Personnel Department to be made a permanent part of the employee's personnel file. A second copy will be placed in the departmental personnel file.
- F. The following are guidelines for the review and purging of personnel files:
 - 1. Employees may review their personnel files upon request;
 - 2. Employees may review completed Internal Investigation files upon request;
 - 3. All disciplinary records will be maintained and purged in accordance with all applicable State and Federal records laws.