

	GAITHERSBURG POLICE DEPARTMENT		
	Alternative Disciplinary Procedure		
	GENERAL ORDER	208.3	
Effective Date	02/25/2011		
Authorized by:	Mark P. Sroka CHIEF OF POLICE	SIGNATURE	DATE

I. PURPOSE

The Alternative Disciplinary procedure (ADP) provides an option to an employee for minor violations, when the facts are not in dispute and the employee accepts the recommended disciplinary action.

II. GENERAL PROVISIONS

- A. Alleged violations must be serious enough to compel formal disciplinary action although minor in nature.
- B. A formal administrative investigation is not conducted.
- C. The Bureau Commander of an employee accused of a violation and the Chief of Police must agree ADP is appropriate.
- D. An employee accused of a violation must agree with the recommended penalty.
- E. Departmental accidents shall not be processed under the provisions of ADP as these incidents require a departmental investigation. These issues may however, be processed in accordance with summary punishment or referral to a hearing board.

III. PROCEDURES

- A. Upon receipt of a complaint, which may be resolved through ADP, the employee's Bureau Commander will contact the Chief of Police to discuss the:
 - 1. Merits of the case;
 - 2. Feasibility of offering ADP;
 - 3. Recommended discipline.
- B. When an agreement is reached between the Chief of Police and the appropriate Bureau Commander regarding the use of ADP and the recommended discipline, the employee's bureau commander will:
 - 1. Forward the original Form 176 to the Chief of Police, noting the

agreed upon disciplinary recommendation;

2. Arrange a meeting with the employee to discuss the allegation and recommended discipline.
- C. The employee's Bureau Commander will ensure the employee understands and/or complies with the following:
1. Acceptance of the recommended discipline only applies under ADP.
 2. Statements made by the employee in the meeting with the bureau commander may not be used in any disciplinary investigation or proceedings against the employee.
 3. Additional investigations and disciplinary actions may result if other allegations or information comes to light.
 4. This procedure will not excuse the employee from being interviewed at a later time to supply information pertaining to other employees or additional allegations, if applicable.
 5. If the employee does not accept the recommended discipline:
 - a) The employee will be ordered, in writing, not to discuss the case with anyone other than his counsel, Bureau Commander or the investigator;
 - b) The Chief of Police will be notified of the refusal to accept ADP;
 - c) The alleged violation will be investigated.
 6. Employee signs the Notification of Findings indicating acceptance of the approved discipline.

IV. PENALTIES

- A. Penalties under ADP will be consistent with the disciplinary matrix guidelines under categories B and C.

V. CASE FLOW

- A. Original of the Notification of Findings and a copy of the Form 176, along with the bureau commander's endorsement will be forwarded to the Chief of Police.
- B. The Chief of Police will place copies of these documents in the employee's personnel file and request the issuance of a personnel order for dissemination to the affected employee and appropriate supervisors.