



The Briefing Board

Number 24-22
April 01, 2024

IMMEDIATE POLICY CHANGE **GC-17, EMPLOYEE DISCIPLINARY PROCEDURES**

Employees are **required** to read the Office Policy below to ensure they are familiar with the changes that have been made. All Employees are **required** to log into [TheHUB](#), to review and acknowledge an understanding of the Office Policy within **30 days**.

Employees are reminded that *The Briefing Board* has the same force and effect as Office Policy. Division commanders shall ensure that employees have access to a copy of this *Briefing Board* announcement. Policy changes should be discussed during shift briefings, as specified in [Office Policy GB-2, Command Responsibility](#).

GC-17, EMPLOYEE DISCIPLINARY PROCEDURES

Effective **April 02, 2024**, Office Policy GC-17. *Employee Disciplinary Procedures*, is revised as follows (Changes indicated in ~~strikethrough~~ and **UPPER-CASE BOLD UNDERLINED** text):

18. **EPA's Involving Employee Misconduct:** When the budget allows for a performance-based salary increase, the Office will utilize the criteria adopted by the Maricopa County Board of Supervisors to determine employee eligibility. **THOSE EMPLOYEES WHO WERE INVOLUNTARILY DEMOTED DURING THE APPLICABLE RATING PERIOD, OR WHO HAVE NOT SUCCESSFULLY MET THEIR SPECIFIC PERFORMANCE EXPECTATIONS OR PERFORMANCE STANDARDS DURING THE APPLICABLE EPA RATING PERIOD, WILL NOT BE CONSIDERED FOR A PERFORMANCE-BASED SALARY INCREASE.** Additionally, Employees who served a suspension and **BUT** have successfully met their specific performance expectations or performance standards during the applicable EPA rating period ~~may be~~ **ARE** eligible to receive a ~~reduced~~ salary increase as determined by the Sheriff or designee.

	MARICOPA COUNTY SHERIFF'S OFFICE POLICY AND PROCEDURES	
	Subject EMPLOYEE DISCIPLINARY PROCEDURES	Policy Number GC-17 Effective Date 02-22-24
Related Information Arizona Administrative Code R13-4-109 ARS Title 38 Chapter 8 Article 1 ARS 39-128 ARS Title 39 Maricopa County Employee Merit System Resolutions and Rules Maricopa County Law Enforcement Officers' Merit System Rules CP-1, <i>Use of Force</i> CP-2, <i>Code of Conduct</i> CP-5, <i>Truthfulness</i> EA-18, <i>Law Enforcement Extra Duty and Off-Duty Employment</i> GC-1, <i>Leaves and Absences</i> GC-11, <i>Employee Probationary Periods and Unclassified Employees</i> GC-16, <i>Employee Grievance Procedures</i> GD-10, <i>Off-Duty Incidents</i> GE-4, <i>Use, Assignment, and Operation of Vehicles</i> GH-2, <i>Internal Investigations</i> GH-5, <i>Early Identification System</i>	Supersedes <p style="text-align: center;">GC-17 (11-17-22)</p>	

PURPOSE

The purpose of this Office Policy is to establish guidelines and procedures for administrating discipline, maintaining disciplinary records, and processing disciplinary appeals for employees.

Although this Office Policy refers to employees throughout, this Office Policy also applies with equal force to all volunteers. Volunteers include, but are not limited to, reserve deputies and posse members.

POLICY

It is the policy of the Office to ensure that employees are conducting themselves according to the law, Office Policy, the Maricopa County Employee Merit System Resolution and Rules, the Maricopa County Law Enforcement Officers' Merit System Rules, and applicable County Policy. In the event that an employee is not in compliance, the Office shall address the issue and impose fair and equitable discipline as necessary.

Office employees are required to report violations of policy; supervisors are accountable for identifying and responding to policy or procedure violations by personnel under their command; and employees are accountable for policy and procedure violations. The Office shall apply policies uniformly.

DEFINITIONS

Aggravating Factor: Any fact or circumstance that increases the severity or culpability of an act (i.e., recidivism, harm to the victim, or lack of remorse).

Appointing Authority: For the purpose of this Office Policy, the designated member of Office command staff, appointed by the Sheriff, whose duties include: being responsible for the conducting of the Pre-Determination Hearing; and providing the employee with an opportunity to be heard.

Blue Team: The Early Identification System (EIS) application that allows employees and supervisors to record information in a database regarding incidents, performance, and conduct. The information from Blue Team is transferred to the IAPro Early Identification case management system.

Classified: All positions in Maricopa County service that are covered by the Maricopa County Employee Merit System Resolution and Rules or the Maricopa County Law Enforcement Officers' Merit System Rules. Excluded are those employees identified as temporary, initial probation, or contract employees, and those positions identified as unclassified.

Class Remedial Matter: Misconduct by employees of the Office involving those matters covered by the Melendres case or the remedies to which those impacted by the Melendres case are entitled.

Coaching: Coaching is a non-disciplinary interaction between a supervisor and an employee that supports an individual in achieving specific personal or professional goals by providing training, advice, and guidance in response to a specific situation.

For the purpose of determining the number of offenses committed within identified categories of the Attachment A, the first use of Coaching shall not constitute an offense. However, the use of Coaching shall require that subsequent conduct by the employee that falls in the same category be addressed as a First Offense for both internal and external allegations, pre and post investigation. Coaching shall be documented in Blue Team and shall be considered for the purpose of discipline for one year prior to the current offense.

Disciplinary Offer: A situation where there is sufficient external evidence, documentary or video evidence that is dispositive of whether a violation of policy occurred, that establishes a violation of Office Policy, and the PSB Commander determines based on the circumstances of the situation, that the principal(s) involved accepted responsibility and received an offer for either the presumptive discipline or a mitigated discipline no lower than the minimum discipline within the Office Disciplinary Matrices, resulting in a sustained finding. A Disciplinary Offer should be considered an Expedited Resolution.

Early Identification System (EIS): A system of electronic databases that captures and stores threshold events to help support and improve employee performance through early intervention and/or to identify problematic operating procedures, improving employee performance, identifying detrimental behavior, recognizing outstanding accomplishments, and to improve the Office's supervisory response. The computerized relational database shall collect, maintain, integrate, and retrieve information gathered in order to highlight tendencies in performance, complaints, and other activities. The database allows the Office to document appropriate identifying information for involved employees, (and members of the public when applicable), and the actions taken to address the tendencies identified. Blue Team, IAPro, and EIPro are applications of the EIS.

Employee: A person currently employed by the Office in a classified, unclassified, contract, or temporary status.

Exempt Employees: Employees who meets the definition of an executive, administrative, or professional employee as defined in the Fair Labor Standards Act (FLSA). Employees who are designated as exempt are not eligible for overtime pay.

Expedited Resolution: A truncated investigative process that may be used in the event of a Disciplinary Offer resulting in a sustained finding, or in the event that documentary or video evidence presents clear and convincing evidence establishing that the alleged violation of Office Policy did not occur and there is no evidence or indication of any other potential employee misconduct involved in the incident (resulting in an Unfounded finding).

Initial Probation: A specified period of time following the employment of a classified employee in a budgeted position during which the work performance of the employee is evaluated. A classified employee may be released from initial probation for or without cause.

1. **Initial Probation, Detention Only:** With the exception of Job Profile adjustments and reassignments, detention personnel must serve an initial probation period upon their most recent employment, to include hire, promotion, demotion, or transfer into any classified position. The initial probation period shall be a minimum of one year and may be extended by the Sheriff or designee for up to six additional months.
2. **Probationary Appointment, Sworn Only:** The appointment to a regular position through certification in accordance with the Law Enforcement Officers' Merit System Rules. The probationary period for the probationary appointment of an entry level employee shall be one year and may be extended by the Sheriff or designee for up to six additional months.
3. An employee may be separated at any time during the initial probationary period without the right of appeal. In any case of suspension, dismissal, or demotion during an employee's initial probationary period the Sheriff or designee may investigate the circumstances and causes for the action taken. The employee must be given written notice of the action taken by the Sheriff or designee prior to the expiration of the established probationary period or the employee will be considered to have successfully completed the probationary period.

Internal Affairs Investigator: Any employee who conducts an administrative investigation of misconduct, including investigators assigned to the Professional Standards Bureau (PSB) or supervisors in an Office division or bureau who are assigned to investigate misconduct.

Intervention: An approved specified action taken by a supervisor to improve a situation or prevent a potential negative work performance situation from developing into misconduct.

Investigative File: The Office's complete investigative report and any attachments detailing the incidents being investigated. The file shall contain, but is not limited to, the *Administrative Investigations Process Checklist*, *Cover Sheet*, *Findings Page(s)*, *Prior Work History Report*, Investigative Plan, Investigative Report, the *Presumptive Range of Discipline* form, the *Employee Disciplinary Considerations and Decision* form, transcripts, audio/video of interviews, body camera footage, the *Inmate Grievance Form* if applicable, etc. Depending on the outcome of the investigation, the file may also contain, but is not limited to, a *Final Disposition Letter*, *Closed Case Notification*, and documents that record discipline, to include the Pre-Determination Hearing (PDH) recording. The Professional Standards Bureau shall maintain the investigative file of all documents within the Office's custody and control relating to any investigation and related disciplinary proceedings, grievance proceedings, and appeals to the Maricopa County Merit System Commission or state court.

Law Enforcement Officer: An employee of the Office, other than an initial probation employee, who is a deputy sheriff or a detention officer.

Minor Discipline: Discipline less severe than a suspension, such as a written reprimand.

Misconduct: Includes any violation of Office Policy or Procedure, federal, state, or local criminal or civil law, constitutional violations, whether criminal or civil, administrative rules including, but not limited to, the Maricopa County Merit System Rules, or Office regulations.

Criminal Misconduct: Misconduct by an employee that a reasonable and trained supervisor or internal affairs investigator would conclude could result in criminal charges due to the apparent circumstances of the misconduct.

Minor Misconduct: Misconduct that, if sustained, would result in discipline or corrective action less severe than a suspension.

Minor misconduct, while a violation of Office Policy, can often be addressed with supervisor-initiated intervention intended to improve a situation, or prevent a potential negative work performance situation from progressing into a misconduct investigation. To address these employee behaviors, supervisors may initiate an intervention method, as specified in Office Policy GH-5, *Early Identification System*, to include; Squad briefing; meeting with supervisor; employee services; supervisor ride-along/work along; training; supervisor evaluation period; action plan; meeting with the commander; re-assignment; and coaching. The use of intervention, shall only be used to address employee minor misconduct or behavior that does not, per the Office Disciplinary Matrix, exceed a Category 1, First or Second Offense or a Category 2, First Offense, and which has not been received by the Office as an External Complaint, or has not already been assigned to the Professional Standards Bureau (PSB).

Serious Misconduct: Misconduct that, if sustained, would result in discipline of a suspension, demotion, or dismissal.

Mitigating Factor: Any information or evidence presented regarding the employee or the circumstances of the incident that might result in reduced discipline.

Non-Exempt Employee: An employee who is covered by the provisions of the Fair Labor Standards Act and must be compensated for overtime hours worked.

Official Investigation: An official examination by a supervisor, an internal affairs investigator or a criminal investigator into alleged employee misconduct that relates to or may affect an employee's position with the Office. The Office has two types of investigations that are used to examine these allegations:

1. **Administrative Investigation:** An investigation conducted into apparent violations of Office Policy. Sustained allegations for an administrative investigation provide the basis for the imposition of discipline according to the Discipline Matrices provided in Attachment A and the Categories of Offenses provided in Attachment B.
2. **Criminal Investigation:** An investigation by a criminal investigator into an allegation of employee criminal misconduct. These include the process of collecting information (or evidence) about a crime in order to: 1) determine if a crime has been committed; 2) identify the perpetrator; 3) apprehend the perpetrator; and 4) provide evidence to support a conviction in court.

The following does not constitute an official investigation or investigative interview: (a) in the normal course of duty, counseling or instruction, or an informal verbal admonishment by, or other routine or unplanned contact with a supervisor or other law enforcement officer; or (b) preliminary questioning to determine the scope of the allegations or if an investigation is necessary. However, such counseling, instructions, verbal admonishments, other contacts, and preliminary questioning are covered by and subject to the truthfulness standards found in Office Policy CP-5, *Truthfulness*.

Off-Duty: A time considered when an employee is **not** being compensated by the County.

On-Duty: A time considered when an employee is being compensated by the County.

Pre-Determination Hearing (PDH): A forum that allows an employee, regardless of employment status, who is being considered for suspension, demotion, dismissal, or probationary release, to address the appointing authority, or the Sheriff or designee regarding the intended action.

Preponderance of the Evidence: Facts alleged are more likely true than not true. Preponderance of the evidence is only utilized when determining an investigatory finding of Sustained.

PSB Diversion: A complaint intake process to address, on a case-by-case basis, eligible complaints without the

initiation of a formal administrative investigation or service complaint. Complaints received by the PSB shall be reviewed to make an initial determination of the most appropriate course of action to take based on the nature of the allegation. The Diversion process can culminate in one of the following: PSB-Directed Supervisory Intervention; Administrative Closure; or Expedited Resolution with a finding of Unfounded.

PSB-Directed Supervisory Intervention: A PSB Diversion intended to improve and/or prevent a potential negative work performance situation from progressing into a misconduct investigation. PSB may, on a case-by-case basis, initiate an intervention method, as specified in Office Policy GH-5, *Early Identification System*, to include: Squad briefing; meeting with supervisor; employee services; supervisor ride-along/work along; training; supervisor evaluation period; action plan; meeting with the commander; re-assignment; and coaching. The use of intervention shall only be used to address employee minor misconduct or behavior that per the Office Disciplinary Matrices does not exceed a Category 1, First or Second Offense; a Category 2, First Offense for any Internal Complaint and as specified in the Attachment B of this Office Policy for any External Complaints.

Promotional Probation (Sworn Only): The promotional probationary period for a sworn employee shall be twelve months unless extended by the Sheriff for up to an additional six months. A promotional probationary employee, who fails to satisfactorily complete the promotional probationary period may be, without right of appeal, reverted to a position of the class previously occupied or to another suitable position. A promotional probationary employee, who is suspended or dismissed, has the right of appeal.

Regular Status: The status an employee achieves under the applicable Maricopa County Employee Merit System Resolution or Rules or the Maricopa County Law Enforcement Officers' Merit System Rules when retained in a position of the classified service following the successful completion of the initial probation period.

Serious Discipline: Discipline which results in an employee receiving a suspension, demotion, or dismissal from employment. All sustained violations of a Category 7 Offense, as specified in Office Policy GC-17, *Employee Disciplinary Procedures*, shall result in dismissal from employment.

Unclassified Employee, Civilian Only: An at-will employee not covered by the Maricopa County Employee Merit System Resolution and Rules or the Maricopa County Law Enforcement Officers' Merit System Rules.

Volunteer: A person who performs hours of service for civic, charitable, or humanitarian reasons, without promise, expectation, or receipt of compensation for services rendered. An employee may not volunteer to perform the same, similar, or related duties for the Office that the employee is normally paid to perform.

PROCEDURES

1. **Individual Responsibility:** Failure to report an act of misconduct shall be considered misconduct and may result in disciplinary action, up to and including dismissal from employment. The presumptive discipline for a failure to report such allegations shall be commensurate with the presumptive discipline for the underlying misconduct or may be one offense less than received by the employee who committed the act. All employees who commit misconduct shall be held accountable, as specified in this Office Policy.
2. **Conflicts of Interest:** Conflict of interest, nepotism, or bias of any kind in the administration of discipline is prohibited.
 - A. No employee who has an external business relationship or close personal relationship with a principal may make any disciplinary decisions or recommendations with respect to the misconduct, including the determination of any appeal arising from any discipline.
 - B. No employee shall be involved in making any disciplinary decisions or recommendations with respect to any persons who are superior in rank and in their chain of command.

C. If the appointing authority who is responsible for making disciplinary findings or determining discipline has knowledge of a conflict of interest affecting their involvement should immediately inform the Professional Standards Bureau (PSB) Commander, or if the holder of that office also suffers from a conflict, the highest-ranking, non-conflicted chief-level position or, if there is no non-conflicted chief-level position, an outside authority. The outside authority for disciplinary matters will be the Maricopa County Attorney’s Office – Civil Division.

3. **Supervisor Initiated Intervention:** An approved action, as specified in Office Policy GH-5, *Early Identification System*, taken by a supervisor to improve a situation or prevent a potential negative work performance situation before it develops into a misconduct investigation. Supervisors may also initiate this action when an employee’s conduct has minimal negative impact on the overall operations of the Office. Examples of employee work performance situations in which a supervisor may consider approved interventions include those categorized as a Category 1 or Category 2 of the Attachment B, of this Office Policy. Employee conduct outside of the limitations of this section shall be addressed, as specified in Office Policy GH-2, *Internal Investigations*. Supervisors are encouraged to contact the PSB if unsure whether the employee work performance situation may be addressed through a supervisor initiated intervention or reported to the PSB for action.

A. Prior to determining intervention regarding work performance situations, the supervisor shall:

1. Confirm the employee’s conduct does not exceed a Category 1, First or Second Offense or a Category 2, First Offense, as specified in this Office Policy, and which has not been received by the Office as an External Complaint, or has not already been assigned to the PSB;
2. Review the employee’s EIPro Dashboard to assist the supervisor in their intervention or corrective action decision; and
3. Ensure that when considering a Coaching for the intervention, that the employee will not exceed the number of Coachings allowed, as specified in this Office Policy for one year prior to the current Offense.

B. All supervisor initiated intervention action taken shall be documented in Blue Team, as specified in Office Policy GH-5, *Early Identification System*. The entry shall include justification for the intervention and the specific policy or policies involved in the performance issue linked to the employee.

4. **Progressive Discipline:** In order to protect the integrity and reputation of the Office, discipline shall be imposed pursuant to the appropriate disciplinary matrices in the Attachment A, as a corrective or punitive measure in response to an employee’s misconduct in violation of Office Policy. The minimum level of discipline imposed shall be a Written Reprimand. Acts of misconduct or repeated deficient job performance may warrant the use of progressive discipline. However, grave acts of misconduct may warrant serious discipline of an employee without minor discipline being used. Accordingly, minor discipline should generally be imposed first, unless the misconduct is of a more grievous nature. Conversely repeat violations, or multiple violations arising from one incident, should generally result in progressively more serious discipline. The PSB Commander and the appointing authority shall determine if minor or serious discipline are warranted upon review of the investigative report, the discipline matrices, and the Categories of Offenses. Progressive discipline does not apply to initial probationary or temporary employees.

A. The Office will not take only non-disciplinary corrective action in cases in which the disciplinary matrices call for the imposition of discipline.

B. The Office will consider whether non-disciplinary corrective action is also appropriate in a case

where discipline has been imposed.

5. **Preliminary Determinations of Discipline:**

- A. Internal affairs investigators shall not recommend discipline. The administrative investigation sustaining a policy violation shall be forwarded to the PSB Commander to initiate the disciplinary process.
- B. The PSB Commander shall make preliminary determinations of the range the discipline to be imposed in all cases and shall document those determinations in writing on the *Presumptive Range of Discipline* form specific to the investigation under review, including the presumptive range of discipline for the sustained misconduct allegation, and the employee's disciplinary history.
- C. Once the PSB Commander determines the range of discipline to be imposed, the Administrative Services Division shall be responsible for coordinating the discipline process with the appointing authority. This includes preparing detailed correspondence, scheduling the PDH (if applicable), and ensuring all necessary notifications and actions are completed.
 - 1. If the PSB Commander makes a preliminary determination that minor discipline should be imposed, and the appointing authority has concurred, a Written Reprimand shall be prepared by the Administrative Services Division, as specified in this Office Policy.
 - 2. If the PSB Commander makes a preliminary determination that serious discipline should be imposed, the appointing authority will provide an opportunity for a PDH and will provide the employee with an opportunity to be heard, as specified in this Office Policy.
 - 3. When the determination indicates policy, training, tactical or equipment concerns, the PSB Commander shall ensure that necessary training is delivered and that policy, tactical, or equipment concerns are resolved. A memorandum of concern detailing the policy, training, tactical, or equipment concerns, and any proposed recommendations, shall be authored and forwarded to the appropriate bureau chief and division commander for review and action.

6. **Discipline Matrices:** One of the primary goals of this Office Policy is to make discipline uniform and equitable throughout the Office. It is essential to consider the offense, as well as mitigating and aggravating circumstances, when determining the level of discipline to be imposed. The Discipline Matrices (see Attachment A) represent penalties to be imposed for various Categories of Offenses. The Matrices establish a presumptive range of discipline dependent on the number of offenses and the duration of time between offenses. The Discipline Matrices also take into consideration the requirement that discipline for unclassified supervisory level or exempt, regular status employees must be issued pursuant to the Fair Labor Standards Act (FLSA) and that unclassified supervisory level or exempt, regular status employees typically hold a management position and, therefore, are held to a higher standard. The employee's age, nationality/national origin, immigration status, religious beliefs/religion, race, color, gender, culture/cultural group, sexual orientation, gender identity/expression, veteran status, ancestry, physical or mental disability, ethnic background, or socioeconomic status is a prohibited consideration when determining discipline.

- A. The Office shall ensure that discipline for sustained allegations of misconduct comports with due process, and that discipline is consistently applied, fair, and based on the nature of the allegation, and that mitigating and aggravating factors are identified and consistently applied and documented regardless of the command level of the principal of the investigation.
- B. The PSB Commander and the appointing authority reserve the right to deviate from the Discipline Matrices when the prescribed penalty fails to address the totality of the circumstances of the event.

This deviation could result from a combination of mitigating or aggravating factors associated with a misconduct event, or possibly following the review of an outside agency's investigative report. Any departure from the presumptive range of discipline set out in the Discipline Matrices shall be justified in writing by PSB Commander or the appointing authority and placed in the employee's Personnel File and investigative file.

- C. The appointing authority shall administer discipline in matters involving serious discipline. The following shall be considered by the PSB Commander and the appointing authority when determining the appropriate penalty within the minimum and maximum recommended range of the Discipline Matrices:
1. The Office shall mandate that each act or omission that results in a sustained misconduct allegation shall be treated as a separate offense for the purposes of imposing discipline.
 2. When a single act of alleged misconduct would constitute multiple separate policy violations, all applicable policy violations shall be charged, but the most serious policy violation shall be used for determining the Category of the Offense. Exoneration on the most serious offense does not preclude discipline or consideration of aggravating circumstances as to less serious offenses stemming from the same misconduct.
 3. Mitigating and aggravating factors shall be considered when determining the appropriate discipline but shall not be utilized to absolve an employee of liability for the conduct.
 - a. Examples of mitigating factors that may be considered include, but are not limited to:
 - (1) Employee's work or service record;
 - (2) Employee's attitude towards the offense (accepts responsibility and does not shift to another);
 - (3) Employee notified the Office of the wrongdoing;
 - (4) Employee expressed remorse;
 - (5) Conduct occurred due to provocation by another employee;
 - (6) Conduct occurred due to an order by a supervisor; and/or
 - (7) Conduct was a mistake or misunderstanding of facts.
 - b. Examples of aggravating factors that may be considered include, but are not limited to:
 - (1) Employee's work or service record;
 - (2) Employee's attitude and actions during the investigation;
 - (3) Employee's prior disciplinary record (as allowed for in this Office Policy);
 - (4) Employee was previously warned or disciplined for engaging in similar misconduct;

- (5) Employee was dishonest (violation of Office Policy CP-5, *Truthfulness*, which shall be considered a separate Office Policy violation) during the investigation process;
 - (6) Employee did not express remorse;
 - (7) Employee failed to fully acknowledge the wrongful conduct, shifted blame;
 - (8) Employee did not fully cooperate (violation of Office Policies CP-2, *Code of Conduct* and GH-2, *Internal Investigations*, which shall be considered separate Office Policy violations) in the investigative process;
 - (9) Employee holds a rank or position of authority within the Office;
 - (10) Employee was intoxicated;
 - (11) Employee's contacts with the public, and prominence of the position;
 - (12) Conduct was intentional, planned and premeditated;
 - (13) Conduct occurred or was repeated over a significant length of time;
 - (14) Conduct was deliberate, willful or reckless;
 - (15) Conduct had a possibility to harm self, other employees, the Office, or the community;
 - (16) Conduct harmed the profession of law enforcement;
 - (17) Conduct caused a high level of torment or anguish to the victim;
 - (18) Conduct involved the use of official authority to facilitate the misconduct;
 - (19) Conduct resulted in financial benefit or self-gain to the employee;
 - (20) Conduct involving inappropriate use of force (violation of Office Policy CP-1, *Use of Force*, which shall be considered a separate Office Policy violation) in the investigative process;
 - (21) Conduct was based on a personal motive;
 - (22) Conduct was criminal; and/or
 - (23) Conduct was repetitive violations of the same nature.
4. The number of times an employee has received prior discipline shall be considered when determining where an employee shall be placed within the Categories and Offenses of the Matrices.
- a. Discipline involving a sustained Office Policy violation of a Category 1-3 offense shall be considered for three years prior to the current offense.

- b. Discipline involving a sustained Office Policy violation of a Category 4-7 offense shall be considered for five years prior to the current offense.
 - c. As an example: If a non-exempt employee has a sustained Category 2 and a separate sustained Category 5 (within three years prior to the current offense) and the current case involves a Category 2 offense, the conduct would be placed within the “Third Offense, Category 2” having a range of an 8-hour to 24-hour suspension.
 - d. All sustained violations of a Category 7 offense shall result in dismissal from employment.
5. The Office is prohibited from considering the high (or low) profile nature of the incident, including media coverage or other public attention when determining appropriate discipline. The Office shall consider the nature of the allegations and any impact that tends to disrupt, diminish, or otherwise jeopardize public trust in the law enforcement profession.
7. **Office Vehicle Accidents:** Office vehicle accidents shall be addressed, as specified in Office Policy GE-4, *Use, Assignment, and Operation of Vehicles*.
8. **Minor Discipline:** Minor discipline may be imposed to correct an employee’s performance or conduct. Minor discipline shall be based on the misconduct and issued following an administrative investigation determination, or when the employee is eligible for a disciplinary offer, as specified in Office Policy GH-2, *Internal Investigations*. A disciplinary offer should be considered an expedited resolution and is one of the PSB’s diversion processes. A *Written Reprimand* is the only form of a minor discipline penalty for employee minor misconduct.
- A. *Written Reprimand:* A *Written Reprimand* is a written directive to an employee advising the employee of performance deficiencies. The reprimand shall include corrective action to be taken by the employee.
- 1. **Written Reprimand Issued as a Result of Administrative Investigation:** Upon the PSB Commander’s preliminary determination of discipline for an administrative investigation and the appointing authority’s concurrence, a *Written Reprimand* shall be prepared by the Administrative Services Division (ASD) Conduct Resolution Section (CRS). The *Written Reprimand* shall include the following:
 - a. An accurate and concise description of the conduct involved;
 - b. A complete list of each sustained Office Policy, applicable County Policy, and/or Maricopa County Merit System Resolutions and Rules or Maricopa County Law Enforcement Officers’ Merit System Rules, stating the policies or rules that were violated, and quoting the relevant section/s verbatim;
 - c. The Investigative Action (IA) case number;
 - d. Corrective action to be taken by the employee;
 - e. A directive forbidding recurrence of the unacceptable conduct and a notice that future similar conduct will result in further disciplinary action; and
 - f. The appointing authority’s signature.
 - 2. **Written Reprimand Issued as a Result of a Disciplinary Offer:** The *Written Reprimand* may

be issued as a result of a disciplinary offer when there is sufficient external evidence, documentary or video evidence that is dispositive of whether a violation of policy occurred, establishes a violation of Office Policy, and the PSB Commander determines based on the circumstances of the situation, that the principal involved accepted responsibility for either the presumptive discipline or a mitigated discipline no lower than the minimum discipline within the Office Disciplinary Matrices.

- a. The ability of the PSB Commander to offer a principal a penalty in form of minor discipline shall be limited to incidents where the penalty is minor discipline.
 - b. If determined to be eligible, the PSB Commander shall coordinate with the ASD CRS to prepare and extend the written disciplinary offer to the principal.
 - c. The principal has seven calendar days from the notification date to make their decision and respond back through e-mail communication to the CRS. If the principal declines the mitigated discipline offer, the complaint shall then be investigated through the formal administrative investigation process.
 - d. If the principal accepts responsibility for the policy violation(s), the CRS shall prepare/process the minor disciplinary penalty *Written Reprimand* in accordance with the same administrative procedures for minor discipline following a formal administrative investigation to include the PSB Diversion tracking number.
 - e. If the principal declines to accept the disciplinary offer or fails to return the disciplinary offer to the CRS by the deadline provided, the CRS shall forward the response or lack of response to the PSB Commander for the initiation of a formal administrative investigation.
 - f. Further procedures regarding PSB Diversion processes are specified in Office Policy GH-2, *Internal Investigations*.
3. Once completed with all requisite signatures, the *Written Reprimand* will be forwarded to a supervisor who shall review and discuss the *Written Reprimand* with the employee and instruct the employee to acknowledge receipt by signing and dating the reprimand. If the employee refuses to sign the form, the supervisor shall document that on the form by writing refused to sign in the employee's signature block, with the supervisor's name and the date.
- a. A copy of the *Written Reprimand* shall be given to the employee and a second copy shall be placed in the employees' Division File. The original reprimand shall be sent to the ASD who will be responsible for: placing a copy in the administrative investigation or PSB diversion, scanning a copy into the EIS, and forwarding the original to the Human Resource Services Division for placement into the employee's Personnel File.
 - b. Information regarding the *Written Reprimand* shall be included in the employee's next Employee Performance Appraisal (EPA).
- B. In the event information/evidence related to this complaint is later discovered which could require the matter to be investigated further by the PSB, the minor discipline offer or issuance may be rescinded by the PSB Commander. A rescission of discipline shall meet the requirements as specified in this Office Policy.

- C. As specified in Office Policy GC-16, *Employee Grievance Procedures*, a *Written Reprimand* is not a grievable matter. If the employee disagrees with the content of the *Written Reprimand*, he may submit a written response to the Administrative Services Division within five business days. The Administrative Services Division shall ensure that the employee's written response is attached to the *Written Reprimand* and processed, as specified in this Office Policy. The employee's *Written Reprimand* and associated attached written response shall become part of the file and be available for supervisory review in any future event. No further action will occur with the *Written Reprimand* or written response.

9. **Serious Discipline of a Regular Status Employee:**

- A. Serious discipline, as defined as a suspension, demotion, or dismissal, may be imposed upon a sustained misconduct allegation, following a determination by the PSB Commander that serious discipline should be imposed, and the concurrence by the appointing authority.
- B. A regular status law enforcement officer shall not be subject to serious discipline except for just cause. Each of the following prongs shall be met prior to issuing such discipline to a regular status law enforcement officer:
 - 1. The employee was informed that disciplinary action could potentially result for such conduct, through the law, the Maricopa County Law Enforcement Merit Rules, applicable County Policy, Office Policy, command directives, The *Briefing Board*, other communications to the employee, or the employee should reasonably have known that disciplinary action could occur for such conduct;
 - 2. The disciplinary action is reasonably related to the standards of conduct for a professional law enforcement officer, the mission of the Office, the orderly, efficient or safe operation of the Office, or the law enforcement officer's fitness for duty;
 - 3. The discipline is supported by a preponderance of evidence that the conduct occurred; and
 - 4. The discipline is not excessive and is reasonably related to the seriousness of the offense and the law enforcement officer's service record.
- C. Employees who are being considered for serious discipline and will be conducting business with the Administrative Services Division will be required to secure all weapons in a locker, to include firearms and knives, prior to entering the Division. This includes the employee and the employee's assistant.
- D. Pre-Determination Hearing (PDH): A regular status employee shall be offered a full opportunity to a PDH prior to imposing serious discipline.
 - 1. PDH Notice: Employees who are being considered for serious discipline shall be notified in writing by the appointing authority. Once the notice is signed by the appointing authority a copy shall be placed in the investigative file. The notification shall include the following information:
 - a. The proposed disciplinary action and, if suspension is being considered, the length of suspension being considered shall be included;
 - b. The applicable Maricopa County Employee Merit System Resolution and Rules or Maricopa County Law Enforcement Officers' Merit System Rules, and other policies that the employee is alleged to have violated;

- c. Sufficient details describing the specific reasons that are being considered for the disciplinary action and the application of the Discipline Matrices;
 - d. The employee's relevant disciplinary history as specified in this Office Policy;
 - e. The employee's opportunity to review the investigation file;
 - f. The employee's opportunity to present mitigating information; and
 - g. The date and time of the PDH. The date and time for the PDH shall allow a minimum of three business days for the employee to prepare for the hearing.
2. Summary of Discipline Issued: Upon request, employees shall be provided a basic summary, prior to the PDH, of discipline issued for similar-type misconduct, pursuant to the guidelines provided in ARS Title 38 Chapter 8 Article 1.
 3. Employee Review of the Investigative File: The employee may review the investigative file prior to the PDH. The employee shall be granted, upon request, a reasonable amount of on-duty time to review the investigative file. The review shall not exceed eight hours and cannot require the use of overtime compensation. Supervisors are encouraged to make any necessary adjustment to the employee's schedule to avoid overtime compensation. The employee review of the investigative file process shall further include the following requirements as applicable:
 - a. The employee may bring an assistant to aid with the review of the investigative file provided the following provisions are met:
 - (1) The employee shall provide the assistant's name to the Administrative Services Division at least 24 hours prior to the review.
 - (2) The assistant may not be an attorney or an Office supervisor, which includes anyone holding the rank of sergeant or above, or the civilian equivalent.
 - (3) The assistant shall not be in any way involved in the investigation or a related investigation.
 - (4) The assistant shall not be a former employee who was terminated for cause or resigned from the Office in lieu of termination.
 - b. The assistant shall be required to sign the Admonishment Regarding Review of Pending Investigation. Employees found to be in violation of the admonishment may be subject to disciplinary action, up to and including dismissal from employment.
 - c. The use of an assistant does not grant the employee or the assistant permission to discuss the investigation with other members of the Office.
 - d. If the assistant is an Office employee, the assistant shall obtain permission from their immediate supervisor to be absent from their duties and shall do so at no cost to the Office by using their own off-duty time. Accrued vacation time may be used during scheduled duty hours, provided that the absence shall not have a cost impact on the operations of the area where the assistant is assigned.
 - e. Neither the employee nor their assistant may copy any portion of the investigative

file during this review; however, both may take notes when reviewing the file.

4. PDH: The hearing shall be conducted with the appointing authority. The employee shall be compensated for the PDH, and the supervisor shall adjust the employee's schedule to avoid overtime compensation. The PDH process shall further include the following requirements as applicable:
 - a. The employee may bring an assistant to aid with the PDH provided the following provisions are met:
 - (1) The employee shall provide the assistant's name to the Administrative Services Division at least 24 hours prior to the PDH.
 - (2) The assistant may not be an attorney or an Office supervisor, which includes anyone holding the rank of sergeant or above or the civilian equivalent.
 - (3) The assistant shall not be in any way involved in the investigation or a related investigation.
 - (4) The assistant shall not be a former employee who was terminated for cause or resigned from the Office in lieu of termination.
 - b. The use of an assistant does not grant the employee or the assistant permission to discuss the PDH with other members of the Office.
 - c. If the assistant is an Office employee, the assistant shall obtain permission from their immediate supervisor to be absent from their duties and shall do so at no cost to the Office by using their own off-duty time.
 - d. Accrued vacation time may be used during scheduled duty hours, provided that the absence shall not have a cost impact on the operations of the area where the assistant is assigned.
 - e. PDH's will be audio and video recorded in their entirety, and the recording shall be maintained with the administrative investigation file. Upon request, the employee shall be provided a copy of the recording within 30 calendar days of the request.
 - f. The employee's right to a PDH may be satisfied by the employee submitting a written response to the PDH Notice. If the employee does not appear at the PDH or submit a written response to the PDH Notice by the date of the PDH, the employee shall be deemed to have waived their right to a hearing.
 - g. If an employee provides new or additional evidence at a PDH, the hearing will be suspended, and the matter will be returned to the PSB Commander for consideration or further investigation, as necessary.
 - (1) If after any further investigation or consideration of the new or additional evidence, there is no change in the determination of preliminary discipline, the matter will go back to the PDH.
 - (2) The PSB shall initiate a separate misconduct investigation if it appears that the employee intentionally withheld the new or additional evidence during the initial misconduct investigation.

- h. Upon consideration of all facts, the appointing authority may:
 - (1) Impose a suspension, demotion, or dismissal and issue a Notice of Disciplinary Action to the employee;
 - (2) Further the investigation based on information provided during the PDH. If the employee disputes the fact found in the investigation, the internal affairs investigator shall be permitted to respond to the disputed facts or conduct additional investigation; and/or
 - (3) Take other appropriate action.
- i. The appointing authority shall document how the conclusion was reached for the issued discipline. This documentation shall be appended to the investigation file and placed in the employee's Personnel File.
 - (1) If the appointing authority conducting the PDH does not uphold the preliminary findings recommended by the PSB Commander in any respect or does not impose the PSB Commander's recommended discipline and/or non-disciplinary corrective action, the appointing authority shall also document in a written narrative their justification for doing so. This justification will be specific to the circumstances of the case and of sufficient detail to provide adequate understanding of the action taken or not taken, for an independent reviewer, and be appended to the investigation file.
 - (2) The appointing authority shall document in a written narrative all deviation from the disciplinary matrices and shall only do so for reasons described in this Office Policy. This justification will be specific to the circumstances of the case and be appended to the investigation file. The appointing authority may not consider the following as grounds for mitigation or reducing the level of discipline prescribed by the matrices:
 - (a) Their personal opinion about the employee's reputation; and
 - (b) Whether others were jointly responsible for the misconduct, except that the appointing authority may consider the measure of discipline imposed on other employees involved to the extent that discipline on others had been previously imposed and the conduct was similarly culpable.
- E. Notice of Disciplinary Action: When serious discipline is imposed, a regular status employee shall be notified in writing by the appointing authority.
 - 1. A copy of the PDH Notice and Notice of Disciplinary Action, as well as documentation of the PDH hearing and subsequent actions taken by the appointing authority, shall be made part of the investigative file.
 - 2. Copies of the PDH Notice and Notice of Disciplinary Action shall be placed in the employee's Personnel File. However, no information about the investigation of a law enforcement officer shall be placed in the Personnel File until the investigation and any subsequent disciplinary appeals to the Maricopa County Merit Systems Commission are complete, as specified in ARS Title 38 Chapter 8 Article 1.

3. The Notice of Disciplinary Action shall include the following information:
 - a. The specific discipline imposed;
 - b. The applicable Maricopa County Employee Merit System Resolution and Rules or Maricopa County Law Enforcement Officers' Merit System Rules, and other policies that the employee violated;
 - c. Sufficient details describing the specific reasons that were considered for the disciplinary action;
 - d. The employee's relevant disciplinary history as specified in this Office Policy;
 - e. The regular status employee's right to appeal such action to the Maricopa County Merit Systems Commission; and
 - f. The Office Policies that were Not Sustained, Exonerated, or Unfounded.
4. Employees who are suspended remain governed by all the provisions of Office Policy CP-2, *Code of Conduct*.
 - a. While suspended, employees are prohibited from wearing any law enforcement uniform and performing any Office job duties.
 - b. An employee is prohibited from working any hours in a paid capacity on the date(s) of their suspension or working their regular days off or any extra hours to make up for the hours they are suspended. This includes any extra/off-duty law enforcement employment, as specified in Office Policy EA-18, *Law Enforcement Extra Duty and Off-Duty Employment* on the date(s) of their suspension. An employee's work week total hours in the County payroll system shall not exceed 40.0 hours when a suspension has occurred. The hours of suspension are designated in the payroll system as Leave Without Pay and shall be appropriately indicated.
 - c. An employee shall not be scheduled to serve a suspension during the same week where a legal holiday occurs. Office Policy GC-1, *Leaves and Absences* specifies legal holidays to be observed with pay are: New Year's Day, Martin Luther King, Jr./Civil Rights Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, the Friday after Thanksgiving Day, and Christmas Day.
 - d. An employee shall not be scheduled for a suspension on their last scheduled day before or after a legal holiday; regardless whether the suspension day occurs in a different pay period.
 - (1) An employee must at least be in a partial paid status for the scheduled day before and the scheduled day after a legal holiday in order to receive Holiday Pay.
 - (2) Employees who are in a full UNPAID status on their scheduled day before or after a holiday are not eligible to receive Holiday Pay, as specified in Office Policy GC-1, *Leaves and Absences*.
 - e. If while suspended, an employee observes an off-duty incident, as specified in Office Policy GD-10, *Off-Duty Incidents*, the employee may take action; and shall then

follow procedures, as specified in Office Policy GD-10, *Off-Duty Incidents*.

- F. Administrative Leave with Pay: If it is determined that an employee must be removed from the workplace pending a PDH or a final discipline determination, the employee may be placed on Administrative Leave with Pay, as specified in Office Policy GH-2, *Internal Investigations*. Employees on Administrative Leave with Pay remain governed by all the provisions of Office Policy CP-2, *Code of Conduct*. While on Administrative Leave with Pay, employees shall not wear any law enforcement uniform or take any law enforcement-type action, including working any extra duty/off-duty law enforcement employment as specified in Office Policy EA-18, *Law Enforcement Extra Duty and Off-Duty Employment*.
10. **Serious Discipline of an Unclassified Employee:** An unclassified employee is not covered by the Maricopa County Employee Merit System Resolution and Rules, however, shall be given the option of attending a PDH.
- A. An unclassified employee is not obligated to attend the PDH as attendance is voluntary.
- B. Any verbal or written statements made during the PDH may be used to incriminate the employee.
- C. The PDH's will be audio and video recorded in their entirety, and the recording shall be maintained with the administrative investigation file. Upon request, the employee shall be provided a copy of the recording within 30 calendar days of the request.
- D. The employee may submit information in writing in addition to, or instead of attending the hearing.
- E. The employee may be placed on Administrative Leave with Pay, as specified in this Office Policy.
- F. Discipline imposed is not subject to appeal to the Maricopa County Merit System Commission.
11. **Unclassified Employee Less than One Year:** An unclassified employee with less than one year of employment and/or less than one year in their current job profile who is not meeting minimum performance standards shall be managed, as specified in Office Policy GC-11, *Employee Probationary Periods and Unclassified Employees*.
12. **EIS:** Once the discipline has been issued and the employee's right to appeal timeframe has expired, or following the completion of the appeal process, the Administrative Services Division is responsible for uploading the Findings of the investigation into IAPro. This information will then be accessible to supervisors in EIPro.
13. **Rescission of Discipline:** The Sheriff and the appointing authority have the authority to rescind, revoke, or alter any disciplinary decision made by either the PSB Commander or the appointing authority so long as:
- A. That decision does not relate to the Sheriff or the appointing authority;
- B. That decision is not related to an independent authority or to a Class Remedial Matter;
- C. The Sheriff or the appointing authority, provides a written narrative that documents the justification for the grounds of the decision as to each employee involved;
- D. The written explanation is placed in the Personnel Files of all employees who were affected by the decision of the Sheriff or the appointing authority; an
- E. The written explanation is available to the public upon request.

14. **Appeal of Disciplinary Action:** A classified employee who receives discipline may request a review.
 - A. Any classified employee who receives minor discipline and disputes the content of the discipline may submit a written response, as specified in this Office Policy.
 - B. Serious discipline of classified regular status employees may be appealed to the Maricopa County Merit Systems Commission. Procedures are specified in the Law Enforcement Officers' Merit System Rules for sworn personnel, the Employee Merit System Resolution and Rules for detention and classified civilian personnel, and ARS Title 38 Chapter 8 Article 1 for a regular status law enforcement officer. The Maricopa County Merit System Rules are located on the Maricopa County Intranet.
 - C. On an appeal of discipline by a regular status law enforcement officer, the Maricopa County Merit Systems Commission may dismiss the discipline if it determines that the Office did not make a good faith effort to complete the investigation within 180 calendar days, as specified in ARS Title 38 Chapter 8 Article 1.
 1. The allegation regarding any employee act, omission, or misconduct may be sustained and the employee's personnel file shall reflect that the allegation was sustained, but no discipline was administered due to the Merit Commission's determination that the Office did not make a good faith effort to complete the investigation within 180 calendar days. Documentation of the Merit Commission outcome shall be placed in the investigative file.
 2. The sustained discipline may be considered when determining discipline in any future sustained misconduct violation.
 - D. Any unclassified employee may not seek an appeal to discipline imposed.
15. **Rehire Discipline History:** When a former employee, not subject to the provisions of Arizona Administrative Code R13-4-109 (Denial, Revocation, Suspension, or Cancellation of Peace Officer Certification Status), or has not previously received a sustained allegation of a Category 6 or Category 7 offense, is rehired, whether for any full-time MCSO position or for reserve deputy status, their past discipline history shall be considered during the hiring process, and during the course of their current employment as follows:
 - A. If a former employee is rehired, the employee's past discipline history shall continue to be considered for any future promotions throughout the course of employment.
 - B. If a former employee is rehired, the employee's past discipline history shall continue to be considered for any future discipline during the time frame of the most current sustained offense.
 - C. If a former employee is rehired, the employee's past discipline history shall continue to be considered for any future transfers during the time frame of the most current sustained offense.
 - D. If a former employee is rehired, the employee's past discipline history shall be considered in future assignments as a Training Division Instructor or Field Training Officer during the time frames of the most current sustained offense.
16. **Volunteer:** A volunteer's continued service with the Office shall be at the discretion of the Sheriff. Volunteers are subject to, and shall comply with all Office Policies, rules, and regulations. Violations of Office Policies, rules, and regulation shall be addressed, as specified in Office Policies GH-2, *Internal Investigations*, and this Office Policy. Serious violations of Office Policy by a volunteer, shall result in a review by the PSB Commander to determine whether a Pre-Determination Hearing is held, or the services of the volunteer are to be immediately terminated.

17. **Class Remedial Matters and Independent Disciplinary Authority:** Matters involving class remedial matters and the independent disciplinary authority shall be processed as required by law and Office Policy. Additional information regarding these processes may be obtained from the Administrative Services Division Operations Manual.
18. **EPA's Involving Employee Misconduct:** When the budget allows for a performance-based salary increase, the Office will utilize the criteria adopted by the Maricopa County Board of Supervisors to determine employee eligibility. Additionally, employees who served a suspension and have successfully met their specific performance expectations or performance standards during the applicable EPA rating period may be eligible to receive a reduced salary increase as determined by the Sheriff or designee.
19. **Records Disclosure:** The Administrative Services Division may distribute copies of all or any portion of an investigative file for administrative or public record purposes or as necessary to comply with a judgment of a federal or state court.
 - A. In accordance with ARS Title 38 Chapter 8 Article 1, information about a regular status law enforcement officer's investigative file shall not be released for public inspection until the investigation is complete or the Office has discontinued the investigation. If the investigative file is the subject of an appeal to a disciplinary action by a classified law enforcement officer, the investigative file is not complete until the conclusion of the appeal process before the Maricopa County Merit Systems Commission.
 - B. Investigative files for all other Office employees shall be released in accordance with state law pursuant to ARS, Title 39.
 - C. Polygraph data and reports regarding a classified law enforcement officer shall be disclosed pursuant to ARS Title 38 Chapter 8 Article 1.
20. **Records Retention:** In accordance with ARS 39-128, the Office shall retain all records that are reasonably necessary or appropriate to maintain an accurate knowledge of disciplinary action involving employees of the Office, including the employee's responses to all disciplinary actions. Administrative investigative files shall be maintained for five years after an employee's separation or retirement from Office employment, or as long as any document preservation requirement applies as a result of litigation.



GC-17, *Employee Disciplinary Procedures*

DISCIPLINE MATRICES



Attachment A

Effective Date: 02-22-24

DISCIPLINE MATRIX - Non-Exempt, Regular Status Employee

The below Matrix shall be used to determine the range of discipline that may be imposed for a non-exempt status employee. Every offense level has a minimum penalty, a presumptive penalty, and a maximum penalty. The PSB Commander must make preliminary determinations of the range of discipline. The presumptive discipline shall be imposed unless aggravating or mitigating circumstances exist and are articulated in the investigative file.

Coaching is a non-disciplinary interaction between a supervisor and an employee that supports an individual in achieving specific personal or professional goals by providing training, advice, and guidance in response to a specific situation.

For the purpose of determining the number of offenses committed within identified categories of this matrix, the first use of non-disciplinary Coaching shall not constitute an offense. However, the use of non-disciplinary Coaching shall require that subsequent conduct by the employee that falls in the same category be addressed as a First Offense for both internal and external allegations, pre and post investigation. Coaching shall be documented in Blue Team and shall be considered for one year prior to the current offense.

Based on the matrix below, after review and determination by the PSB Commander, or as determined by the supervisor, as specified in this Office Policy regarding Section 1, Supervisor Initiated Intervention, the use of a non-disciplinary Coaching by a supervisor may be acceptable only for a Category 1, First or Second Offense or a Category 2, First Offense.

Min. = Minimum Discipline
Pres. = Presumptive Discipline

W.R. = Written Reprimand
Hrs. = Hours of Suspension

Dis. = Dismissal
Max. = Maximum Discipline

Category	First Offense			Second Offense			Third Offense			Fourth Offense			Fifth Offense			Sixth Offense			Seventh Offense			Eighth Offense	
	Min.	Pres.	Max.	Min.	Pres.	Max.	Min.	Pres.	Max.	Min.	Pres.	Max.	Min.	Pres.	Max.	Min.	Pres.	Max.	Min.	Pres.	Max.		
1		W.R.	W.R.		W.R.	8Hrs	W.R.	8Hrs	16Hrs	8Hrs	16Hrs	24Hrs	16Hrs	24Hrs	40Hrs	24Hrs	40Hrs	80Hrs	40Hrs	80Hrs	Dis.	Dismissal	
2		W.R.	8Hrs	W.R.	8Hrs	16Hrs	8Hrs	16Hrs	24Hrs	16Hrs	24Hrs	40Hrs	24Hrs	40Hrs	80Hrs	40Hrs	80Hrs	Dis.	Dismissal				
3	W.R.	8Hrs	16Hrs	8Hrs	16Hrs	24Hrs	16Hrs	24Hrs	40Hrs	24Hrs	40Hrs	80Hrs	40Hrs	80Hrs	Dis.	Dismissal							
4	8Hrs	16Hr	24Hrs	16Hrs	24Hrs	40Hrs	24Hrs	40Hrs	80Hrs	40Hrs	80Hrs	Dis.	Dismissal										
5	16Hrs	24Hr	40Hrs	24Hrs	40Hrs	80Hrs	40Hrs	80Hrs	Dis.	Dismissal													
6	24Hrs	40Hr	80Hrs	40Hrs	80Hrs	Dis.	Dismissal																
7	Dismissal																						

- An employee's workweek will be changed to a five/eight schedule when a suspension is to be served.
- A non-exempt, regular status employee shall not be suspended for more than 40 working hours per pay period.
- When conduct of personnel falls in a discipline range from a suspension to dismissal, 120 hours will be the maximum number of hours an employee shall be suspended during each disciplinary procedure.
- Demotions may be considered for personnel whose conduct falls in a discipline level which is equivalent to an 80 hours or more suspension.

DISCIPLINE MATRIX - Exempt, Regular Status Employee

The below Matrix shall be used to determine the range of discipline that may be imposed for an unclassified supervisory level, or exempt status employee. Every offense level has a minimum penalty, a presumptive penalty, and a maximum penalty. The PSB Commander must make preliminary determinations of the range of discipline. The presumptive discipline shall be imposed unless aggravating or mitigating circumstances exist and are articulated in the investigation file.

Coaching is a non-disciplinary interaction between a supervisor and an employee that supports an individual in achieving specific personal or professional goals by providing training, advice, and guidance in response to a specific situation.

For the purpose of determining the number of offenses committed within identified categories of this matrix, the first use of non-disciplinary Coaching shall not constitute an offense. However, the use of non-disciplinary Coaching shall require that subsequent conduct by the employee that falls in the same category be addressed as a First Offense for both internal and external allegations, pre and post investigation. Coaching shall be documented in Blue Team and shall be considered for one year prior to the current offense.

Based on the matrix below, after review and determination by the PSB Commander, or as determined by the supervisor as specified in this Office Policy regarding Section 1 Supervisor Initiated Intervention, the use of a non-disciplinary Coaching by a supervisor may be acceptable only for a Category 1, First or Second Offense or a Category 2, First Offense.

Min. = Minimum Discipline
Pres. = Presumptive Discipline

W.R. = Written Reprimand
Hrs. = Hours of Suspension

Dis. = Dismissal
Max. = Maximum Discipline

Category	First Offense			Second Offense			Third Offense			Fourth Offense			Fifth Offense			Sixth Offense
	Min.	Pres.	Max.	Min.	Pres.	Max.	Min.	Pres.	Max.	Min.	Pres.	Max.	Min.	Pres.	Max.	
1		W.R.	W.R.		W.R.	40Hrs	W.R.	40Hrs	80Hrs	40Hrs	80Hrs	120Hr	80Hrs	120Hr	Dis.	Dismissal
2		W.R.	40Hrs	W.R.	40Hrs	80Hrs	40Hrs	80Hrs	120Hr	80Hrs	120Hr	Dis.	Dismissal			
3	W.R.	40Hrs	80Hrs	40Hrs	80Hrs	120Hr	80Hrs	120Hr	Dis.	Dismissal						
4	40Hrs	40Hrs	80Hrs	40Hrs	80Hrs	120Hr	80Hrs	120Hr	Dis.	Dismissal						
5	40Hrs	80Hrs	120Hr	80Hrs	120Hr	Dis.	Dismissal									
6	80Hrs	80Hrs	120Hr	80Hrs	120Hr	Dis.	Dismissal									
7	Dismissal															

- Pursuant to the FLSA, suspensions for exempt employees must be limited as follows: Misconduct that rises to the level of suspension shall result in a suspension of a full 40-hour workweek or incremental full workweeks (80 hours, 120 hours).
- An employee's workweek(s) will be changed to a five/eight schedule when a suspension is to be served.
- When conduct of personnel falls in a discipline range from a suspension to dismissal, 120 hours will be the maximum number of hours an employee shall be suspended during each disciplinary procedure.
- Demotions may be considered for personnel whose conduct falls in a discipline level which is equivalent to more than an 80 hours suspension.

DISCIPLINE MATRIX - Volunteer

The below Matrix shall be used to determine the range of discipline that may be imposed for a Volunteer. After review and determination by the PSB Commander, or as determined by the supervisor as specified in this Office Policy regarding Section 1, Supervisor Initiated Intervention, the use of a non-disciplinary Coaching by a supervisor may be acceptable only for a Category 1, First or Second Offense or a Category 2, First Offense.

Category	First Offense		Second Offense		Third Offense	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
1		Written Reprimand		30 Day Suspension	30 Day Suspension	Dismissal
2		30 Day Suspension	30 Day Suspension	60 Day Suspension	60 Day Suspension	Dismissal
3	Written Reprimand	60 Day Suspension	60 Day Suspension	90 Day Suspension	90 Day Suspension	Dismissal
4	90 Day Suspension	120 Day Suspension	120 Day Suspension	Dismissal	Dismissal	
5	120 Day Suspension	Dismissal	150 Day Suspension	Dismissal	Dismissal	
6	150 Day Suspension	Dismissal	180 Day Suspension	Dismissal	Dismissal	
7	Dismissal					



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CATEGORIES OF OFFENSES



Attachment B

Effective Date: 02-22-24

Discipline for violation of the law, regardless of the ultimate adjudication of any criminal or civil charges, shall be based on the facts and evidence discovered during the Office investigation.

Conduct that is not specifically identified in the following chart shall be reviewed using the definition for each Category of Offense.

CATEGORY 1

Conduct, while against policy, has a minimal negative impact on the overall operations or professional image of the Office and usually of a first offense nature. This conduct however, is not acceptable and must be corrected. Failure to correct the behavior shall result in more severe discipline.

Violations in Category 1 involve neglect. If acts are found to be intentional, or repeated, after coaching or other intervention by a supervisor, these violations shall move to Category 3, or higher.

CATEGORY 2

Conduct that has more than minimal negative impact on the operations or professional image of the Office; or conduct that negatively impacts relationships with other employees, agencies or members of the public; or conduct under Category 1 with repetitive offenses.

CATEGORY 3

Conduct that has a pronounced negative impact on the operations or professional image of the Office, relationships with other employees, agencies, or the public; or conduct within a lower Category of Offenses with repetitive offenses.

CATEGORY 4

Conduct that is substantially contrary to the values of the Office; or that substantially interferes with its mission, operations, or professional image; or that involves a demonstrable serious risk to employees or public safety.

CATEGORY 5

Conduct that involved the serious abuse or misuse of authority, unethical behavior, or an act that results in an actual serious and/or adverse impact on employee or public safety, or to the professionalism of the Office.

CATEGORY 6

Conduct that involves the serious abuse or misuse of authority, unethical behavior; or an act that results in an actual serious and adverse impact on the Office employee, public or public safety; or to the professionalism of the Office.

CATEGORY 7

Any violation of law, policy, rule or regulation which: foreseeably results in death or serious bodily injury; or constitutes a willful and wanton disregard of Office guiding principles; or involves any act or omission which demonstrates a serious lack of the integrity, ethics or character related to an Office employee's fitness to hold their position; or involves egregious misconduct substantially contrary to the standards of conduct reasonably expected, to include those whose sworn duty is to uphold the law; or involves conduct which constitutes the failure to adhere to any condition of employment required or mandated by law.

		Category	1	2	3	4	5	6	7
1 UNETHICAL CONDUCT									
A.	Participating in activities which would compromise an employee’s ability to perform Office duties objectively and impartially.				●				
B.	Withholding relevant information or misleading investigators during a criminal or administrative investigation.								●
C.	Failure to inform command staff regarding a conflict of interest related to an administrative investigation and the administration of discipline.					●	●	●	●
D.	Violation of Office Policy CP-5, <i>Truthfulness</i> .								●
E.	Violation of Office Policy CP-3, <i>Workplace Professionalism</i> , by actions that include unlawful discrimination or harassment of another person because of an individual’s protected characteristics.								●
F.	Violation of Office Policy CP-3, <i>Workplace Professionalism</i> , by carrying out wrongful conduct; otherwise defined in the Office Policy as, “conduct that, if allowed to continue, could potentially lead to unlawful discrimination, harassment, or retaliation.”		●	●	●	●	●		
F.	Violation of Office Policy CP-8, <i>Preventing Racial and Other Bias-Based Profiling</i> , by taking law enforcement actions based on age, nationality/ national origin, immigration status, religious beliefs/religion, race, color, gender, culture/cultural group, sexual orientation, gender identity/expression, veteran status, ancestry, physical or mental disability, ethnic background, or socioeconomic status, to include, but not limited to, calls for service, traffic stops, arrests, detentions, consensual and non-consensual contacts, unless those characteristics are part of a description received of a specific suspect, perpetrator, or witness for whom a deputy is then searching.								●
G.	Violation of Office Policy CP-8, <i>Preventing Racial and Other Bias-Based Profiling</i> , by basing detention operations on age, nationality/national origin, immigration status, religious beliefs/religion, race, color, gender, culture/cultural group, sexual orientation, gender identity/expression, veteran status, ancestry, physical or mental disability, ethnic background, or socioeconomic status, or any other identifiable group characteristic, except as part of a reliable and specific inmate description, is prohibited.				●	●	●	●	●
H.	Violation of Office Policy CP-11, <i>Anti-Retaliation</i> , by actions that include retaliation against any person, member of the public, or employee for their lawful expression of opinions in exercise of their First Amendment right to freedom of speech.							●	●
I.	Violation by an employee of the Prisoner Rape Elimination Act (PREA), specific to sexual abuse or sexual harassment of an inmate, which may or may not include criminal charges.								●

		Category	1	2	3	4	5	6	7
2 CONFORMANCE TO OFFICE DIRECTIVES									
A.	Unintentional failure to conform to the provisions of all written policies, except those found to be unlawful, incorrect, or inapplicable.		●						
B.	Intentional failure to conform to the provisions of all written policies, except those found to be unlawful, incorrect, or inapplicable.				●				
C.	Unintentional failure to comply with any court related matters such as court orders or judgment, orders, written instructions, and rules.		●						
D.	Intentional failure to comply with any court related matters such as court orders or judgment, orders, written instructions, and rules.							●	●
E.	Failure to accept responsibility for own acts and shift burden or responsibility to another person.		●						
F.	Disregard of safety rules which place other employees or members of the public at risk.				●				
3 CONFORMANCE TO ESTABLISHED LAWS									
A.	Commission of Class 2 or Class 3 misdemeanor violation, with the exception of a criminal speed violation.					●			
B.	Commission of a criminal speed violation.		●						
C.	Commission of a Class 1 misdemeanor violation, not to include DUI.							●	
D.	Commission of DUI to any degree.								●
E.	Conduct that constitutes a felony under state law, or any other state's law, or federal law. While travelling abroad, employees shall abide by the laws of foreign countries, insofar as the laws do not conflict with the laws of the U.S.								●
F.	Failure to report the knowledge of the commission of a felony by an employee. The presumptive discipline for a failure to report such allegations may be commensurate with the presumptive discipline for the underlying misconduct or maybe one offense less than received by the employee who committed the act.								●
G.	Commission of theft, stealing, misappropriation of funds, or fraudulent activity.								●
4 INDIVIDUAL RESPONSIBILITY									
A.	Failure of an employee who observes or becomes aware of any act of misconduct by another employee to report the incident as soon as practicable to a supervisor or directly to the PSB. The presumptive discipline for a failure to report such allegations may be commensurate with the presumptive discipline for the underlying misconduct or maybe one offense less than received by the employee who committed the act.		●	●	●	●	●	●	●

		Category						
		1	2	3	4	5	6	7
B.	Failure of an employee to take appropriate action whenever learning of an Office Policy violation being committed, or having been committed, by any other person associated with the Office in any capacity, which by its very nature would tend to discredit an employee or the Office. To include conduct on or off-duty. The presumptive discipline for a failure to take appropriate action may be commensurate with the presumptive discipline for the underlying misconduct or maybe one offense less than received by the employee who committed the act.	●	●	●	●	●	●	●
C.	Failure to adequately assist members of the public with the Comment and Complaint Form process.		●					
D.	Failure by an on-duty supervisor or commander to document in Blue Team an internal or external complaint of misconduct.			●				
E.	Failure to report, without delay, to the on-duty supervisor, an appropriate commander, or the PSB, when any false information is alleged or reasonably believed to have been provided in an administrative investigation or on any official report, log, or electronic transmittal of information, testimony, communication with other officials, public presentations such as community meetings, and press briefings.				●	●	●	●
F.	Participation in the retaliating against an employee who reports misconduct or a violation of policy, responsibility, or duty.						●	
G.	Failure to report secondary employment, as specified in Office Policy GC-18, <i>Secondary Employment</i> , or law enforcement off-duty employment as specified in Office Policy EA-18, <i>Law Enforcement Extra-Duty and Off-Duty Employment</i> .	●	●					
H.	Failure to report a missing firearm.			●	●	●	●	●
I.	Failure to follow reporting requirements, as specified in Office Policy GJ-28, <i>Prison Rape elimination Act (PREA)</i> . To include but not limited to, reporting PREA sexual abuse, sexual harassment, or voyeurism, and/or taking action upon learning of a report of sexual abuse, sexual harassment, or voyeurism.			●	●	●	●	●
5 UNBECOMING CONDUCT								
A.	Failure by an employee to conduct themselves, at all times, both on and off duty, in such a manner as to reflect favorably on the Office, as specified in Office Policy CP-2, <i>Code of Conduct</i> .		●					
B.	Failure to show respect for the uniforms of the Office.	●						
C.	Failure of an employee who is on duty or identified by dress, location, or association as an employee, to maintain a professional demeanor and perform their duties in a calm and firm manner.		●					

		Category						
		1	2	3	4	5	6	7
D.	Participating in the demeaning of persons, or bias language against any individual regardless of age, nationality/national origin, immigration status, religious beliefs/religion, race, color, gender, culture/cultural group, sexual orientation, gender identity/expression, veteran status, ancestry, physical or mental disability, ethnic background, or socioeconomic status.					●	●	●
E.	Failure by an employee to conduct themselves in a manner that will foster respect and cooperation among themselves and other members of the Office.		●					
F.	Failure to take reasonable action commensurate and appropriate to the situation to ensure a person is not subject to cruel treatment or neglectful inhumane action.					●	●	●
G.	Failure to take reasonable action commensurate and appropriate to the situation to ensure an animal is not subject to cruel treatment or neglectful inhumane action.			●				
H.	Failure by an employee who has contact with the public to deal with people fairly, and courteously.		●					
I.	Use of profanity, rude or insulting language, or conduct offensive to employees or members of the public that is not of a discriminatory nature or a racial slur.		●					
J.	Use of profanity, rude or insulting language, or conduct offensive to employees or members of the public that is of a discriminatory nature or a racial slur.					●	●	●
K.	Failure to represent the Office in a professional manner while in uniform or in a County vehicle, to members of the public.		●					
L.	Unwarranted or unnecessary threat of physical violence by an employee, to another employee or the public.					●	●	●
M.	Sexual harassment of another person.							●
N.	Cheating on promotion examinations.							●
O.	Possession of weapons on Maricopa County property in violation of Office Policy GJ-23, <i>Firearms</i> .						●	
P.	Buying or selling contraband on County property.							●
Q.	Fraud in securing employment.							●
R.	Sexual conduct on duty and/or while on or using County property or equipment.							●
S.	Sexual conduct off duty while on or using County property or equipment.				●			

6 ALCOHOL

A.	Consuming alcoholic beverages while on duty except with prior supervisory consent.							●
B.	Purchasing, or in immediate possession of, any kind of alcoholic beverage(s) while on duty, except in the performance of official duties or authorized training with prior supervisory consent.					●		
C.	Reporting for duty, or on duty, with any odor of alcoholic beverage on the employee's breath or while under the influence of any alcoholic beverage to any degree.						●	

		Category						
		1	2	3	4	5	6	7
D.	Failure by a supervisor to take action, as specified in Office Policy GC-21, <i>Drug, Medication, and Alcohol Testing</i> , when they reasonably believes that an employee who is on duty or reporting for duty smells of, or is under the impairment of, alcoholic beverages to any degree.					●		
E.	Violation of Office Policy ED-2, <i>Covert Operations</i> , in all cases where personnel who consume alcoholic beverages on duty: fail to avoid any physical condition or impairment which could adversely affect the employee's performance of duty; operate a Maricopa County vehicle; or bring discredit upon the Office.						●	
F.	Failure by employees and supervisors to be attentive to, and restrict, physical enforcement action and the display or use of weapons when the employee(s) is known to have consumed and/or be under the influence of an alcoholic beverage(s) during a covert operation, except in extreme and exigent circumstances.						●	
G.	Failure by an employee in a specialized assignment, if called out, to advise a supervisor that within the last eight hours they have been drinking, the type and amount of alcoholic beverage consumed, and how long it has been since the last drink.				●			
H.	When making the decision to activate an employee, the supervisor shall ensure based on the information provided by the employee that no alcoholic beverage have been consumed within the last eight hours prior to a call out.				●			
I.	Purchasing or consuming alcohol off-duty and in uniform.		●					
J.	Consuming alcohol at a training event while on-duty.						●	●
K.	Operating any Maricopa County vehicle within eight hours after consuming any alcoholic beverages.				●			
L.	Displaying or wearing any recognizable item of Office apparel, while on or off duty, in a public place or an establishment where the primary purpose is to sell or serve alcoholic beverages or consuming any alcoholic beverages while displaying or wearing any recognizable items of Office apparel, unless in the performance of official duties.				●			
M.	Consuming alcoholic beverages in any Maricopa County facility or Maricopa County vehicle by an employee, except in the performance of official duties or authorized training.							●
N.	Allowing the consumption of alcoholic beverages at any time, or for any reason, by a guests, volunteers, public observers or other members of the public while in Maricopa County facilities, Maricopa County vehicles, or vehicles owned by a Posse Branch or individual posse member that are used for Office related operations.				●			
O.	Driving while under the influence of alcohol or drugs while on duty, to exclude legally prescribed drugs that do not impair or inhibit an employee's capacity to perform their responsibilities.							●

		Category						
		1	2	3	4	5	6	7
P.	Carrying a firearm while off duty when consuming alcohol and taking law enforcement action.					●	●	●
7 USE OF MEDICATION OR DRUGS								
A.	Failure by the employee who takes prescribed or over-the-counter medications to be aware of any side effects the medications may have on the performance of their duties.		●					
B.	Failure by an employee to advise their supervisor, prior to reporting for duty, when taking medication that might impair their ability to perform the essential job functions of their position.		●					
C.	Refusing to participate in a drug, medication, or alcohol test, as specified in Office Policy GC-21, <i>Drug, Medication, and Alcohol Testing</i> .							●
D.	Unlawful possession or use of drugs or medication, to include the prescribed medication of another.							●
8 GRATUITIES, REWARDS, OR LOANS								
A.	Use of position for personal gain, on or off duty, to solicit, seek, or receive any personal loan, gift, gratuity, or other favor, from the general public, any private business firms which deal with the Office, or any other agency or department of Maricopa County which is, or may appear to be, intended to influence official conduct.						●	
B.	Accepting, directly or indirectly, a gratuity, fee, loan, reward, or gift of any kind for services rendered in the course of official duties or for services rendered in the course of an Office-approved off-duty assignment. This includes directly or indirectly accepting or obtaining a gratuity, fee, loan, reward, or gift of any kind and passing it on to family members, other Office employees, or acquaintances.					●		
C.	Use of position to solicit free admission to places of amusement, entertainment, or sporting events or to solicit free meals, or any favors or gratuities not ordinarily afforded to a member of the public.			●				
D.	Accepting or soliciting a bribe.							●
9 ABUSE OF POSITION OR AUTHORITY								
A.	Use of official position, identification cards, or badges to avoid the consequences of illegal acts such as driving under the influence or helping family members avoid the consequences of illegal acts.						●	
B.	Use of official position, identification cards, or badges for personal or financial gain related to official duties.						●	
C.	Use of official position, identification cards, or badge to obtain privileges not otherwise available to them or others, except in the performance of official duty.					●		
D.	Use of official position, identification card, or badge to misrepresenting their position or authority in the Office.						●	

		Category						
		1	2	3	4	5	6	7
E.	Lending identification cards, badges, or uniforms to another person not authorized to display or possess.			●				
F.	Permitting Office identification cards or badges to be photographed or reproduced unless necessary for official business.	●						
G.	Identifying themselves as members of the Office, visually or verbally, in connection with testimonials or advertisements, unless specifically authorized by the Sheriff, or designee.			●				
H.	Interfering by virtue of their position, with an Office criminal or administrative investigation; act in manner which might aid any person in escaping arrest or delay the apprehension of a criminal; facilitate the removal or concealment of contraband.							●
I.	Convert for personal use any found, impounded, abandoned, or recovered property, or any property held or released as evidence.						●	●
J.	Failure to return seized, found, or recovered property directly to a property custodian, court, or owner.			●				
K.	Misuse of NCIC or any Office or law enforcement database.					●	●	●
L.	Misuse of position or authority to affect a promotion, transfer, or restoration to duty by obtaining an unfair advantage as a result of any act prohibited by Office Policy and/or Maricopa County Merit System Rules, such as but not limited to nepotism; retaliation; conflict of interest; discrimination; or harassment.					●		
M.	Intentionally denying any person of civil liberties (such as no probable cause for arrest, search and seizure, or failing to give Miranda Warning when required, or any that may be guaranteed by the Constitution of the United States).					●	●	●
N.	Unintentionally denying any person of civil liberties (such as no probable cause for arrest, search and seizure, or failing to give Miranda Warning when required, or any that may be guaranteed by the Constitution of the United States).		●	●	●			

10 CARE AND USE OF OFFICE OR MARICOPA COUNTY EQUIPMENT

A.	Misuse of Office and Maricopa County equipment.	●						
B.	Use of Office and Maricopa County cell phones, fax machines, printers, and copiers which inhibits either governmental or administrative use, or impact employee's ability to perform their assigned duties.		●					
C.	Use of Office and Maricopa County equipment used in a manner that discriminates, or denigrates, anyone on the basis of race, color, national origin, age, religious beliefs, gender, culture, sexual orientation, veteran status, or disability.						●	●
D.	Use of e-mail and voice mail in a manner that discriminates, or denigrates, anyone on the basis of race, color, national origin, age, religious beliefs, gender, culture, sexual orientation, veteran status, or disability.						●	●

		Category						
		1	2	3	4	5	6	7
E.	Willfully damaging, losing, misplacing, or abusing Office and Maricopa County equipment.			●				
F.	Negligently damaging, losing, misplacing, or abusing Office and Maricopa County equipment.		●					
G.	Failure to maintain Maricopa County issued equipment in proper order.	●						
H.	Intentionally accessing internet pornography sites while using a County computer unless directed to do so by a supervisor for investigative purposes.						●	
I.	Personnel shall refrain from using profane or offensive language or images in any aspect of their electronic communications, including system passwords, as specified in Office Policy GM-1, <i>Electronic Communications, Data and Voice Mail</i> .		●	●	●			
J.	Speeding while driving a County owned vehicle civil violation only.	●						
K.	Committing civil traffic violations other than speeding, while driving a County owned vehicle. Civil violations to include but not limited to, making an illegal turn, running a red light, and driving without a seatbelt.		●					
L.	Committing criminal traffic violations while driving a County owned vehicle. Criminal violations to include but not limited to, criminal speed, driving without a valid license, driving with a suspended license, reckless driving, hit and run, vehicular manslaughter, and driving under the influence of alcohol or drugs.		●	●	●	●	●	●
M.	Involvement in a preventable accident with an Office vehicle while engaged in emergency driving.			●				
N.	Unauthorized use of County equipment and personnel for personal profit.							●
11 CONFIDENTIAL INFORMATION, PROTECTED HEALTH INFORMATION, AND DIVULGING CRIMINAL RECORDS								
A.	Discussing or disclosing sensitive law enforcement or confidential information without supervisor direction or approval, and with persons unauthorized to receive the information, or permitted or required by law.					●		
B.	Unauthorized release of Criminal History Record Information (CHRI).						●	
C.	Using, copying, making notes regarding, removing, releasing, or disclosing information or facts that are of a personal or confidential nature regarding an employee, inmate, or other person's health or medical information, unless doing so legally in the course and within the scope of official duties.					●		

		Category						
		1	2	3	4	5	6	7
D.	Failure to immediately notify a supervisor upon becoming aware of anyone improperly accessing or releasing information or facts that are of a personal or confidential nature regarding an employee, inmate, or other person's health or medical information. The presumptive discipline for a failure to report such allegations may be commensurate with the presumptive discipline for the underlying misconduct or maybe one offense less than received by the employee who committed the act.			●				
E.	Intentional and unauthorized alteration, disclosure, copying, and retention of confidential material or sensitive information.						●	
F.	Unintentional destruction or removal of County records.			●				

12 PERFORMANCE OR DERELICTION OF DUTY

A.	Failure to devote working time and attention to the service of the Office to complete all assignments in a timely manner.		●					
B.	Engaging in any activities or personal business, such as personal phone calls or text messages, or other electronic activities which would cause neglect to duty.	●						
C.	Displaying cowardice or failing to support fellow employees in the lawful performance of duty.				●			
D.	Willful failure to appear for judicial subpoenas, whether on behalf of the state or in actions against the employee.			●				
E.	Unintentional failure to comply with document preservation and production requirements, as specified in Office Policy GD-9, <i>Litigation Initiation, Document Preservation, and Document Production Notices</i> .		●					
F.	Intentional failure to comply with document preservation and production requirements, as specified in Office Policy GD-9, <i>Litigation Initiation, Document Preservation, and Document Production Notices</i> .						●	
G.	Engaging in any strike or restricting output causing a work slowdown in support of a strike.							●
H.	Failure to follow documentation and administrative requirements, as specified in Office Policy GJ-28, <i>Prison Rape Elimination Act (PREA)</i> . To include but not limited to, data collection, hiring and promotional procedures, completion of PREA training, providing PREA information to employees and inmates, providing appropriate inmate housing, and medical and mental health services, completing PREA Safety Inspections, completing PREA opposite gender announcements, making PSB notifications, and initiating inmate disciplinary actions.	●	●	●				

13 PUNCTUALITY & ABSENCES

A.	Failure to be punctual in reporting to a designated duty post and physically ready to assume assigned duties.	●	●	●				
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		Category						
		1	2	3	4	5	6	7
B.	Failure by a supervisor to enter tardiness and early departures data into Blue Team, as specified in Office Policies GC-1, <i>Leaves and Absences</i> , and CP-2, <i>Code of Conduct</i> .	●						
C.	Absent Without Authorized Leave (AWOL) except when extenuating circumstances are found to have existed. AWOL occurs when an employee fails to call in to a supervisor, and who does not show for their scheduled shift.	●	●	●	●	●	●	●
D.	Abuse of sick or vacation leave for non-FMLA-qualifying events.	●						

14 POLITICAL ACTIVITY

A.	Use of authority of position, Maricopa County business, personnel, equipment, materials, buildings, or other resources, to influence the vote or political activities, or for the purpose of influencing the outcomes of elections.							●
B.	Use of political endorsement in connection with any appointment to a position in the Maricopa County classified service.						●	
C.	Use or promise to use, any official authority or position for the purpose of influencing the vote, or political action of any person or for any other considerations.							●
D.	Soliciting an employee to engage in, or deny him the opportunity to engage in, activities permitted regarding political activity.						●	
E.	Participating in any direct or indirect threat, such as intimidation, coercion, discrimination, reprisal, force, or any adverse consequence, such as the loss of any benefit, reward, promotion, assignment, or compensation based on the employee's involvement in a political activity.							●
F.	Engaging in political activity while on duty, while in uniform, or at public expense, except as authorized in CP-2, <i>Code of Conduct</i> .							●
G.	Denying any employee of any civil liberties, as guaranteed by the Constitution of the United States or the Constitution and Laws of the State of Arizona based on the employee's involvement in political activity.							●
H.	Shall not participation as a member of any national, state, or local committee of a political party, an officer or chairperson of a committee of a partisan political club, a candidate for nomination or election to any public office, which is either paid or partisan, or take part in the management of any political party, partisan or nonpartisan campaign, or recall effort.				●			
I.	Discriminate against another employee for engaging in, or choosing not to engage in, any permitted political activity.							●
J.	Retaliate against another employee for engaging in, or choosing not to engage in, any permitted political activity.							●

		Category						
		1	2	3	4	5	6	7
K.	Conducting support of family members running for political office outside the provisions of Office Policy CP-2, <i>Code of Conduct</i> .			●				
L.	Employees using the authority of their position to influence the vote or political activities of any subordinate employee.							●
15 PUBLIC APPEARANCE AND STATEMENTS								
A.	Publicly ridiculing the Office, its policies, or its employees, orally, in writing, or through social media, where such expression is defamatory, obscene, unlawful, tends to undermine the effectiveness of the Office, interferes with the maintenance of discipline, or is made with reckless disregard for the truth.					●		
B.	Addressing public gatherings, appearing on radio or television, or releasing for publication, an article, manuscript, or other material which pertains to the operations or activities of the Office, without prior approval from the Sheriff, or designee.			●				
16 ENDORSEMENTS, REFERRALS, AND VENDORS								
A.	Recommending, suggesting, or advocating for the employment of any person, or procurement of any particular product, professional, or commercial service outside the official procurement process.				●			
B.	Failure by an employee to disclose their interest for any contract, sale, purchase, or service, in which they have an interest.				●			
C.	Failure by an employee to disclose their interest and abstaining from voting for any contract, sale, purchase, or service, in which they have an interest.				●			
17 LABOR/ FRATERNAL ORGANIZATIONS AND ASSOCIATIONS								
A.	Joining, and, or holding office in any employee organization, labor union, or professional association, organized for any illegal purposes or primarily engaged in activities contrary to law.							●
B.	Attempting to prohibit or intimidate any covered employee from belonging to, or holding office in, any lawful organization.					●		
18 ASSOCIATIONS AND FRATERNIZATION WITH INMATES OR PRISONERS								
A.	Indulging in undue familiarity with inmates or prisoners.							●
B.	Fraternization with inmates and prisoners unless it is unavoidable due to family member relationships.			●				
C.	Engage the services of, accept services from, or do favors for, any person known to them to have been in the custody of the Office, or any other detention or correctional facility within the last two years.				●			
D.	Conveying written or oral messages between inmates.			●				

		Category						
		1	2	3	4	5	6	7
E.	Corresponding with, or assisting in conducting correspondence with inmates, former inmates, or other persons not in custody, on behalf of an inmate.				●			
F.	Assisting inmates in the submission or preparation of judicial documents.				●			
G.	Writing letters of recommendation, on behalf of inmates on matters concerning official business of the Office, without authorization from their bureau commander.				●			
H.	Exchanging money or property with inmates or prisoners.						●	●
I.	Providing inmates with newspapers, magazines, or books from outside the jail.		●					
J.	Engaging in informal, non-work-related discussions with inmates or prisoners concerning other officers, inmates, or prisoners.			●				
K.	Making remarks of a personal nature in reference to any officers, inmates or prisoners, witnesses, or informants where the remarks may be within earshot of any inmate or prisoner.			●				
L.	Encouraging or sympathize with inmates in their complaints about rules, regulations, or jail conditions, to include, failing to properly address the complaint or notify a supervisor of the situation.		●					
M.	Offering religious or other advice to inmates regarding personal, family, or case-related problems.			●				

19 EMPLOYEE RELATIONSHIPS WITH PERSONS VISITING INMATES

A.	Granting special privileges, such as an extended visit time, or allowing an unscheduled visit, to visitors without the approval of the shift commander.				●			
B.	Accepting favors or gratuities from visitors at any time.					●		
C.	Indulging in undue familiarity with visitors.							●
D.	Fraternization with visitors.			●				

20 EMPLOYEE RELATIONSHIPS WITH OTHER EMPLOYEES

A.	Failure to be respectful and maintain a professional, courteous, and cooperative demeanor with other employees of the Office and other law enforcement or criminal justice personnel.		●					
B.	Failure to be respectful and maintain a professional, courteous, and cooperative demeanor with supervisory personnel.		●					
C.	Defying the authority of any supervisor by being disrespectful, arrogant, or displaying disrespectful conduct, whether in or out of the supervisor's presence.			●				
D.	Covertly recording conversations involving other Office employees.				●	●		

		Category						
		1	2	3	4	5	6	7
E.	Failure to promote the establishment and maintenance of a professional workplace, free from discourteous treatment of others.		●					
F.	Dating, entering into a romantic relationship, or having any form of sexual interaction between a supervisor and their supervised employee.			●				
G.	Failure to notify supervisor when employees working in the same division or building are in a dating, romantic relationship, or are having any form of sexual interaction.		●					

21 EMPLOYEE RELATIONSHIPS WITH KNOWN OR SUSPECTED CRIMINALS

A.	Associating or dealings with persons whom they know, or have reason to believe are, or have been, recently charged with criminal acts, or any person who the employee should reasonably know to have been involved in criminal acts or are under indictment. This is to include criminal investigation, arrests or incarceration. Employees shall also avoid associations with known racketeers, illegal gamblers, and persons in the community with a reputation for criminal behavior.				●			
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22 EMPLOYEE RELATIONSHIPS WITH VICTIMS, WITNESSES, INFORMANTS, OR OTHER SUCH INDIVIDUALS

A.	Converting an enforcement contact with persons, including, but not limited to, victims, witnesses, informants, suspects, or traffic violators, into a dating relationship, sexual relationship, social relationship, or business relationship during the course of any official contact or investigation.						●	●
B.	Failure to notify their supervisor of any relationship that evolves following contact due to job responsibilities.				●			

23 FREQUENTING PROHIBITED ESTABLISHMENTS

A.	Knowingly entering or frequent any establishment, such as a house of prostitution or illegal gambling house, wherein the laws of the United States, the state, or the local jurisdiction are regularly violated, except in the performance of duty or while acting under proper and specific orders from a supervisor.				●			
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24 GAMBLING

A.	Participating in any form of illegal gambling at any time, except in the performance of duty, and while acting under proper and specific orders from a supervisor.						●	●
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25 SLEEPING ON DUTY

A.	Sleeping on duty without authorization.			●				
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		Category	1	2	3	4	5	6	7
26 INTERFERENCE WITH OFFICIAL INVESTIGATIONS									
A.	Use of official position or knowledge gained by employment with this Office to hinder, obstruct, or interfere with any case, official operation, or investigation being handled by this Office or any other agency.								●
B.	Improper discussing and sharing of confidential internal investigation information.				●	●	●		
C.	Failure to submit to an administrative interview during an administrative investigation.								●
27 REQUEST FOR ASSISTANCE									
A.	Failure to adequately assist members of the public, when requesting assistance from the Office either by telephone or in person.		●	●	●	●	●	●	●
28 FAILURE TO MEET STANDARDS									
A.	Failure to perform assigned duties in an acceptable manner.		●						
B.	Failure to possess the knowledge required to perform assigned duties based on the employee's job classification and training.		●	●					
C.	Failure to complete assignments properly.		●						
D.	Failure to make reasonable decisions or take appropriate actions.		●						
E.	Failure to accomplish a reasonable share of the workload.	●							
F.	Failure to conduct proper security walks.		●						
G.	Failure to complete proper SHIELD entries.		●						
H.	Failure to conduct a proper headcount.		●						
I.	Failure to perform security functions which would not have the potential to place members of the public at risk.		●						
J.	Failure to perform security functions that result in an escape or which places other employees or members of the public at risk.							●	
K.	Failure to follow release procedures as specified in Office Policy DO-2, <i>Release Process</i> , resulting in an erroneous release from custody.		●	●					
L.	Reckless use, handling, or display of firearms.							●	
M.	Unintentional, voluntary discharge of firearm, where the trigger was manipulated voluntarily, but the discharge was unintentional.		●						
N.	Unintentional, involuntary discharge of firearm, where the trigger was manipulated involuntarily, and discharge was unintentional.		●						
O.	Accidental discharge of firearm, where outside influences such as clothing or equipment contacting the trigger occurred, due to failure to safety or holster firearm properly. Does not include actual mechanical failures.		●						

		Category						
		1	2	3	4	5	6	7
P.	Unintentional non-activation and use of body-worn cameras when recording is otherwise required, as specified in Office Policy GJ-35, <i>Body-Worn Camera</i> (i.e., overlooked, preoccupied, fail to reactivate after being turned off for an authorized reason, or was distracted without intent to not record contact).		●					
Q.	Unintentional deactivation of a body-worn camera when recording is otherwise required, as specified in Office Policy GJ-35, <i>Body-Worn Camera</i> (i.e., turned off before ending contact at a call for service without intent to not record contact, misunderstanding of Office Policy requirements).		●					
R.	Repeat failures to activate/reactivate and use body-worn cameras, failure to activate/reactivate and use body-worn cameras when conducting traffic stops, responding to calls for service, or interacting with the public for investigative or enforcement activities, unless exigent circumstances exist.			●	●	●	●	●
S.	Intentional deactivation or non-activation of a body-worn camera when activation is otherwise required and when the action was done beyond a misunderstanding of Office Policy requirements; to include tampering with the camera and/or recording, hardware or software component of the camera, as specified in Office Policy GJ-35, <i>Body-Worn Camera</i> . When this intentional act occurs, there is a permissive inference that the missing footage would have reflected misconduct and was done with the intent to conceal unlawful or inappropriate actions or to obstruct justice.							●
T.	Intentional failure to notify a supervisor and the Body-Camera Unit Supervisor of lost, stolen, damaged, or non-functioning equipment.				●			
U.	Failure to intervene or respond when necessary, to include: calls for service, dispatch, and requests for assistance.			●				
V.	Failure to respond to a radio call.		●					
W.	Unintentional failure to complete reports as directed by Office policies, to include but not limited to, Incident Reports, PREA Reports, and Use of Force Reports.		●					
X.	Intentional failure to complete reports as directed by Office policies, to include but not limited to, Incident Reports, PREA Reports, and Use of Force Reports.			●				
Y.	Failure by a supervisor to conduct any required reviews with adequate and consistent quality.		●					
Z.	Neglect to maintain prescribed records.		●					
aa.	Failure by a supervisor to ensure employees perform required duties, or hold them accountable, of which does not place other employees or members of the public at risk.		●					
bb.	Failure to conform to work standards established for the employee's rank or position.		●	●				
cc.	Failure to meet mandatory training as it relates to Arizona Peace Officer Standards and Training Board (AZ POST) requirements and Court order mandates.			●				

		Category						
		1	2	3	4	5	6	7
dd.	Misuse and/or abuse of supervisory authority or privilege.			●				
ee.	Failure to exercise proper supervision over assigned employee or prisoner.			●				
ff.	Inattentiveness to duty or horseplay.	●						
gg.	Failure to report to assigned area of responsibility during a shift.		●					
hh.	Failure to advise employee of the grievance and appeal process and/or inform the chain of command of possible forthcoming complaints or grievances.		●					
ii.	Refusing to participate in an Intervention Action Plan.						●	
jj.	Allowing unauthorized personnel to enter work areas.		●					
kk.	Failure to report an industrial injury requiring medical attention within 24 hours.	●						
ll.	Failure of a supervisor to complete the Industrial Injury Report within 24 hours.		●					
mm.	Failure to make required EIS Blue Team entries as a line staff employee.	●						
nn.	Failure by a supervisor to make required EIS Blue Team entries.		●					
oo.	Intentional misplacement of important documents or property with serious consequences for law enforcement.						●	●
pp.	Unintentional misplacement of important documents or property without serious consequences for law enforcement.	●						
qq.	Failure to thoroughly search for and properly collect any available evidence in any arrest or criminal investigation.			●				
rr.	Failure to notify the Office of a change of address or telephone number.	●						
ss.	Failure to maintain telephone or other method of delivering messages.	●						
tt.	Failure to maintain required uniform.	●						
uu.	Failure to maintain personal appearance appropriate to the job.	●						
vv.	Failure to keep work or vehicle area clean and uncluttered, causing a work hazard.	●						
ww.	Office employees and volunteers entering or working in a jail facility are prohibited from bringing personal cell phones, and other personal electronic items (MP3 players, iPods, personal laptops, tablets, smart watches, or any other personal electronic devices that are used for texting, e-mails, social media or viewing movies/clips, into secured areas of jail facilities, unless approved by a supervisor, or otherwise authorized, as specified in Office Policy CP-2, <i>Code of Conduct</i> .	●	●					
xx.	Failure to follow proper attire and grooming requirements, as specified in Office Policy GC-19, <i>Dress and Appearance</i> .	●	●					

		Category	1	2	3	4	5	6	7
29 INSUBORDINATION									
A.	Failure by an employee to follow a reasonable and lawful order given by a supervisor regardless of the method of conveyance.							●	●
30 LOITERING									
A.	Remaining in eating establishments, gas stations, or other public places for longer than is reasonably required to complete the legitimate activity for which they stopped while on duty or in uniform, unless required by duty.		●						
B.	Remaining at a duty post or any Office location beyond the end of their shift, unless conducting official business or for a minimal period while awaiting transportation from work.	●							
31 ABUSE OF PROCESS, WITHHOLDING EVIDENCE, AND MISAPPROPRIATION OF PROPERTY									
A.	Manufacturing, concealing, falsifying, destroying, removing, tampering with, or withholding evidence or information, or make false accusations in a criminal, traffic matter, or administrative matter.								●
B.	Failure to ensure a valid chain of evidence with adherence to the guidelines for the strict control and management of evidentiary property, as specified in Office Policy GE-3, <i>Property Management and Evidence Control</i> .			●					
C.	Failure to properly report and document, any property that is being held as evidence, found property, or for safekeeping, which comes into possession of the employee during the course of regular duties.					●	●		
D.	Unintentional failure to properly secure an individual's personal property which results in the loss of those items.		●						
E.	Intentional or negligent failure to properly secure an individual's personal property which results in the loss of those items.							●	●
32 TREATMENT OF MEMBERS OF THE PUBLIC OR PERSONS IN CUSTODY									
A.	Unnecessary use of force or force option with a member of the public or persons who are in the custody of the Office, or failure to report such actions.							●	
B.	Abusive treatment of members of the public, or inmates, or prisoners, which does not rise to the level of assault.					●			
33 GUM AND TOBACCO USAGE									
A.	Use of tobacco products or gum while making personal contacts with members of the public in the performance of their duties. Tobacco products use includes but is not limited to: cigars; cigarettes; pipes; chewing tobacco; and E-cigarettes.	●							

		Category						
		1	2	3	4	5	6	7
B.	Use of tobacco products in a non-designated area.	●						
34 PROPERTY DAMAGE								
A.	Failure to notify a supervisor, or if unavailable, the nearest on-duty supervisor, and promptly submit a written report concerning any damage to real or personal property, including vehicles, belonging to the Office, Maricopa County, a member of the public, or any other entity or individual, which is a result of, or occurred during, the execution of their official duties or responsibilities.			●				
B.	Failure to notify a supervisor and promptly submit a written report concerning any damage to real or personal property of others, including vehicles, belonging to the Office, Maricopa County, while off duty.			●				
C.	Attempting to work out or negotiate a settlement with any entity or individual regarding personal or Maricopa County liability when property damage has occurred during the execution of official duties.						●	
35 RUMORS OR GOSSIP								
A.	Spreading rumors or gossip is prohibited.		●					
B.	Failure by supervisors to take action when made aware of the spreading of rumors or gossip.			●				
36 SOCIAL NETWORKING SITES								
A.	Accessing social networking sites on Office equipment while on duty unless in the performance of official duties or accessing official Office controlled social media sites, such as Twitter, Facebook, or Instagram for viewing purposes of Office announcements only.		●					
B.	Publicly expressing, sharing, or posting information regarding the Office which would jeopardize the safety and security of Office employees, inmates or the public, or which could negatively impact the efficient or effective operation of the Office.			●	●	●	●	●
37 KEEPING SUPERVISORS INFORMED								
A.	Failure to notify a supervisor of all situations, events, incidents, inspections, and communications that affect, or may affect, the Office, or with which the Office may be concerned.		●					
B.	Failure to notify involvement in any situation being investigated by another law enforcement agency, whether as a witness, victim, or suspect, or in anticipation of becoming an accused suspect.		●					
C.	Failure to notify a supervisor of the suspension or revocation of driving privileges. (This failure applies only to the reporting, not actual vehicle operation which falls under Section 3, Subsection B, Commission of a Class 1 misdemeanor).			●				

		Category						
		1	2	3	4	5	6	7
D.	Failure to notify a supervisor upon knowledge of a family member being booked into an Office jail.		●					
E.	Failure to notify a supervisor of the issuance of a court order, such as an order of protection or an injunction against harassment, in which the Office employee has been named.			●				
F.	Failure to notify a supervisor of the receipt of a moving vehicle traffic citation.	●						
38 USE OF DISCRETION								
A.	Failure to use discretion in the enforcement of laws and in determining appropriate actions.		●					
B.	Failure to use discretion to evaluate the circumstances and consider available resources and alternate solutions.		●					

INELIGIBLE EXTERNAL PSB-DIRECTED SUPERVISORY INTERVENTIONS

Once MCSO receives an internal or external complaint, the PSB Commander shall make an initial determination that a qualifying complaint may be addressed as an approved PSB-Directed Supervisory Intervention. There are some Categories of Offenses that might be either internal or external and may be subject to different criteria.

All external allegations of a Category 1, First or Second Offense or Category 2, First Offense as set forth in Attachment B of Office Policy GC-17 shall be eligible for a PSB-Directed Supervisory Intervention with the EXCEPTION of those listed below:

		Category	1	2	3	4	5	6	7
4 INDIVIDUAL RESPONSIBILITY									
A.	Failure of an employee who observes or becomes aware of any act of misconduct by another employee to report the incident as soon as practicable to a supervisor or directly to the PSB. The presumptive discipline for a failure to report such allegations may be commensurate with the presumptive discipline for the underlying misconduct or maybe one offense less than received by the employee who committed the act.		●	●	●	●	●	●	●
B.	Failure of an employee to take appropriate action whenever learning of an Office Policy violation being committed, or having been committed, by any other person associated with the Office in any capacity, which by its very nature would tend to discredit an employee or the Office. To include conduct on or off-duty. The presumptive discipline for a failure to take appropriate action may be commensurate with the presumptive discipline for the underlying misconduct or maybe one offense less than received by the employee who committed the act.		●	●	●	●	●	●	●
C.	Failure to adequately assist members of the public with the Comment and Complaint Form process.			●					
5 UNBECOMING CONDUCT									
A.	Failure by an employee to conduct themselves, at all times, both on and off duty, in such a manner as to reflect favorably on the Office, as specified in Office Policy CP-2, <i>Code of Conduct</i> .			●					
C.	Failure of an employee who is on duty or identified by dress, location, or association as an employee, to maintain a professional demeanor and perform their duties in a calm and firm manner.			●					
H.	Failure by an employee who has contact with the public to deal with people fairly, and courteously.			●					
I.	Use of profanity, rude or insulting language, or conduct offensive to employees or members of the public that is not of a discriminatory nature or a racial slur.			●					

		Category						
		1	2	3	4	5	6	7
K.	Failure to represent the Office in a professional manner while in uniform or in a County vehicle, to members of the public.		●					
9 ABUSE OF POSITION OR AUTHORITY								
N.	Unintentionally denying any person of civil liberties (such as no probable cause for arrest, search and seizure, or failing to give Miranda Warning when required, or any that may be guaranteed by the Constitution of the United States).		●	●	●			
10 CARE AND USE OF OFFICE OR MARICOPA COUNTY EQUIPMENT								
L.	Committing criminal traffic violations while driving a County owned vehicle. Criminal violations to include but not limited to, criminal speed, driving without a valid license, driving with a suspended license, reckless driving, hit and run, vehicular manslaughter, and driving under the influence of alcohol or drugs.		●	●	●	●	●	●
18 ASSOCIATIONS AND FRATERNIZATION WITH INMATES OR PRISONERS								
L.	Encouraging or sympathize with inmates in their complaints about rules, regulations, or jail conditions, to include, failing to properly address the complaint or notify a supervisor of the situation.		●					
27 REQUEST FOR ASSISTANCE								
A.	Failure to adequately assist members of the public, when requesting assistance from the Office either by telephone or in person.		●	●	●	●	●	●
28 FAILURE TO MEET STANDARDS								
Y.	Failure by a supervisor to ensure employees perform required duties, or hold them accountable, of which does not place other employees or members of the public at risk.		●					