

STANDARD OPERATING PROCEDURES



ADMINISTRATION DIVISION

DISCIPLINARY DETAIL

DISCIPLINARY DETAIL
STANDARD OPERATING PROCEDURES

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PERSONNEL RESOURCE MANAGEMENT SECTION

STANDARD OPERATING PROCEDURES

DISCIPLINARY DETAIL

City of Miami



EMILIO T. GONZALEZ, Ph.D.
City Manager

DISCIPLINARY DETAIL

STANDARD OPERATING PROCEDURES

ENDORSEMENT SHEET

First Quarter
Inspection

17 W/L 27512
Detail Commander

08/14/19
Date

Second Quarter
Inspection

17 W/L 27512
Detail Commander

08/14/19
Date

Third Quarter
Inspection

17 W/L
Detail Commander

9/27/2018
Date

Fourth Quarter
Inspection

17 W/L
Detail Commander

12/06/18
Date

Annual
Inspection

msj Joseph Farina 1844
Section Commander

12/21/18
Date



City of Miami





EMILIO J. GONZALEZ, Ph.D.
City Manager

DISCIPLINARY DETAIL

STANDARD OPERATING PROCEDURES

ENDORSEMENT SHEET

First Quarter Inspection	 <hr/> Detail Commander	<hr/> 3/18/19 Date
Second Quarter Inspection	 <hr/> Detail Commander	<hr/> 6/13/19 Date
Third Quarter Inspection	<hr/> Detail Commander	<hr/> Date
Fourth Quarter Inspection	<hr/> Detail Commander	<hr/> Date
Annual Inspection	<hr/> Section Commander	<hr/> Date



City of Miami



EMILIO T. GONZALEZ, Ph.D.
City Manager

DISCIPLINARY DETAIL

STANDARD OPERATING PROCEDURES

LETTER OF PROMULGATION

TO: ALL PERSONNEL, DISCIPLINARY DETAIL

These procedures are established to provide consistency, uniformity, efficiency, and effectiveness to the administration and operation of the Disciplinary Detail of the City of Miami Police Department.

The procedures set forth here supplement but do not supersede the Departmental Orders, Labor Agreements, or operational directives, and they are formulated accordingly. Unforeseen conflicts between the Standard Operating Procedures and the Departmental Orders or Directives will be arbitrated and resolved through the Commander of the Labor Relations Unit.

Personnel assigned to the Disciplinary Detail will read, know, and follow these procedures, the Departmental Orders, and any pertinent Directives; and any conflict between them will be reported to the Commander.

17 Marc A. Redondo 27512

Lt. Marc A. Redondo
Commander
Labor Relations Unit

9/24/2018

Effective Date



City of Miami



EMILIO T. GONZALEZ, Ph.D.
City Manager

DISCIPLINARY DETAIL

STANDARD OPERATING PROCEDURES

MISSION, GOALS AND OBJECTIVES

MISSION

To provide a method of ascertaining the fairness and equity of punitive actions for infractions of the Departmental Orders, Standard Operating Procedures and other departmental directives, consistent with the current bargaining agreement.

GOAL

The goal of the Disciplinary Detail is to provide a fair and impartial review of disciplinary actions for sworn employees, and to provide objective non-binding recommendations to the Chief of Police for consideration during his final review and decision.

OBJECTIVES

The broad, basic objectives of the Disciplinary Detail are:

- I. Improve the disciplinary process throughout the Department by ensuring fairness, consistency and integrity.

Lt. Marc A. Redondo

Lt. Marc A. Redondo
Commander
Labor Relations Unit

9/24/2018

Effective Date



MISSION, GOALS, AND OBJECTIVES (CONTINUED)

- II. Facilitate the D.D.R.B. process and forward recommendations to the Chief of Police on all reprimands.
- III. Log, file, and maintain all disciplinary documentation.
- IV. Maintain liaison with the labor organizations and management so that contractual grievances and conflicts are reduced.
- V. Reduce the number of disciplinary actions contested by employees at the Civil Service Board.

City of Miami



EMILIO T. GONZALEZ, Ph.D.
City Manager

DISCIPLINARY DETAIL

STANDARD OPERATING PROCEDURES

DUTY HOURS AND DRESS

The Disciplinary Detail Office and Staff are located in Room #307AA. Assignments, days off and duty hours are as follows:

Lieutenant	F/S/S	"E"	Duty hours	0700-1700
Sergeant	F/S/S	"E"	Duty hours	0700-1700
Admin Aide I	S/S	"E"	Duty hours	0800-1700

Vacations will be scheduled according to Departmental Orders. Assignments, days off and duty hours may change at the discretion of the Unit Commander.

Dress code requirements will be in compliance with the Departmental Orders or at the discretion of the Unit Commander.

Lt. Marc A. Redondo
Commander
Labor Relations Unit

Effective Date



City of Miami



EMILIO T. GONZALEZ, Ph.D.
City Manager

DISCIPLINARY DETAIL

STANDARD OPERATING PROCEDURES

DUTIES AND RESPONSIBILITIES OF MEMBERS

I. Chairperson

- A. Reviews reprimands with no time loss where the employee requests a D.D.R.B. Chairperson's review and forwards recommendations to Chief of Police.
- B. Presides over Departmental Disciplinary Review Boards and rules on procedural matters. Conduct hearing according to Departmental Orders, Disciplinary Detail Standard Operating Procedures, and D.D.R.B. Protocol.
- C. Reviews and signs memoranda directed to disciplined officers, board members, witnesses and all concerned parties providing notification for all scheduled Board hearings.
- D. Reviews requests for hearing continuances and makes determinations.

Marc A. Redondo 29512

**Lt. Marc A. Redondo
Commander
Labor Relations Unit**

9/24/2018

Effective Date



DUTIES AND RESPONSIBILITIES OF MEMBERS (CONTINUED)

- E. Reviews reprimands with time loss of up to two (2) tours of duty and notifies disciplined employee of recommendations. While conducting a disciplinary review, if the D.D.R.B. Chairperson changes the original disciplinary recommendation he/she should inform the officer of his/her decision prior to forwarding the recommendation to the Chief of Police. This will decrease any delay created if the officer should; still disagree with the amended recommendation of penalty.
- F. Conducts D.D.R.B. hearings in a fair and dignified manner conducive to full inquiry of all incidents resulting in disciplinary action review by the Board.
- G. Rules on requests from disciplined parties concerning special activities during Board Hearings.

Commanding Officer

- H. Oversees the duties and responsibilities of the Disciplinary Detail Members.
- I. Responsible for maintaining Departmental Grievance files and E.E.O.C. Complaints.
- J. Prepares the annual Labor Relations Unit budget.
- K. Resolves problems or questions that may arise out of the D.D.R.B. Process
- L. Assists the Sergeant in reviewing reprimands for correctness, timeliness, and form.
- M. Reviews and approves D.D.R.B. hearing summary reports.
- E. Keeps the Administration Division Assistant Chief of Police informed on Grievance actions, E.E.O.C. actions, disciplinary actions, trends or other pertinent issues.

DUTIES AND RESPONSIBILITIES OF MEMBERS (CONTINUED)**IV. Sergeant/Detail Supervisor**

- A. Supervises the Disciplinary Detail.
- B. Provide guidance and procedures to departmental members on the issuance of disciplinary action for the purpose of correcting improper behavior, poor performance, and or to maintain the integrity of the Police Department.
- C. Review all departmental reprimands. This review process entails correction, if any, for penalty consistency, appropriate and accurate departmental charges, and grammar and spelling.
- D. Monitors the processing of reprimands for efficiency and timeliness.
- E. Assists the D.D.R.B. Chairperson in resolving procedural issues during the hearing process.
- F. Serves letters of forfeiture, suspension and dismissal to disciplined employees.
- G. Assists the Unit Commander with administrative functions.
- H. Functions as the Department's advocate assisting the authors of reprimands in presenting the case for discipline to the D.D.R.B. Board.
- I. Assists the D.D.R.B. Administrator in resolving D.D.R.B. scheduling, staffing problems, and conflicts.
- J. Reviews all D.D.R.B. hearing files for completeness before closing.

DUTIES AND RESPONSIBILITIES OF MEMBERS (CONTINUED)**V. D.D.R.B. Administrative Aide I**

- A. Logs all reprimands in the D.D.R.B. Log and computer database.
 - B. Coordinates selection of quarterly drawing.
 - C. Schedules hearings compatible with the on-duty schedule of all Board members, disciplined parties and witnesses.
 - D. Prepares all forfeiture, suspension and dismissal letters for the Chief of Police.
 - E. Researches cases and provides documents to the City Attorney for Civil Service Hearing.

 - F. Maintains D.D.R.B. computer database and files associated with departmental discipline.
 - G. Tape-records all D.D.R.B. hearings, documenting all pertinent testimony and evidence presented and prepares a report for Chairperson's signature summarizing the hearing (Hearing Report).
 - H. Coordinates reviews for all contested reprimands.
 - I. Tracks disciplinary actions to ensure proper and timely processing.
 - J. Provides disciplinary profiles when requested.
-

DUTIES AND RESPONSIBILITIES OF MEMBERS (CONTINUED)

- E. Reviews reprimands with time loss of up to two (2) tours of duty and notifies disciplined employee of recommendations. While conducting a disciplinary review, if the D.D.R.B. Chairperson changes the original disciplinary recommendation he/she should inform the officer of his/her decision prior to forwarding the recommendation to the Chief of Police. This will decrease any delay created if the officer should; still disagree with the amended recommendation of penalty.
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DUTIES AND RESPONSIBILITIES OF MEMBERS (CONTINUED)**V. D.D.R.B. Administrative Aide I**

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-

City of Miami



EMILIO T. GONZALEZ, Ph.D.
City Manager

DISCIPLINARY DETAIL

STANDARD OPERATING PROCEDURES

PROGRAMS AND PROJECTS

I. PROGRAMS:

- 1. Labor Relations duties

II. PROJECTS:

- A. Special Projects (Directed by the Administration Assistant Chief)

III. FUNCTIONS:

- 1. D.D.R.B. Hearings

17 Marc A Redondo 29512

Lt. Marc A. Redondo
Commander
Labor Relations Unit

9/24/2008

Effective Date



City of Miami



EMILIO T. GONZALEZ, Ph.D.
City Manager

DISCIPLINARY DETAIL

STANDARD OPERATING PROCEDURES

POLICIES

- I. The D.D.R.B. Administrator will attend Disciplinary Review Board Hearings.
- II. The Administrator will record information obtained from Board Hearings and prepare a summary memorandum for the Chairperson's signature, to the Chief of Police.
- III. The Administrator will maintain an objective and impartial demeanor at all Board Hearings. The Administrator will not make comments or give opinions unless requested by the Chairperson.
- IV. The Chairperson and D.D.R.B. Administrator will maintain strict confidentiality and will not divulge information concerning D.D.R.B. matters to anyone other than the Chief of Police or his designee.
- V. The Disciplinary Detail office, files and correspondence are off limits to all unauthorized personnel and shall be secured whenever the office is unoccupied.

Lt. Marc A. Redondo 77512

Lt. Marc A. Redondo
Commander
Labor Relations Unit

9/24/2018
Effective Date



POLICIES (CONTINUED)

- VI. Files will be current and will contain copies of all correspondence initiated or received by the Disciplinary Detail.
- VII. The Disciplinary Detail will maintain current copies of Departmental Orders, Civil Service Rules & Regulations, F.O.P. Labor Contract, Florida State Statutes, Official Bulletins (2 years) and Detail Standard Operating Procedures.

City of Miami



EMILIO T. GONZALEZ, Ph.D.
City Manager

DISCIPLINARY DETAIL

STANDARD OPERATING PROCEDURES

S.O.P 1

SUBJECT: ADMINISTRATION

PURPOSE: To provide administrative guidelines for the Disciplinary Detail

SCOPE: I. FUNCTIONAL SUPERVISION

- A. The D.D.R.B. Administrator and the Sergeant report to the Commander of the Labor Relations Unit.
- i. Each member will have the responsibility of ensuring all administrative duties are completed according to the requirements of Disciplinary Detail Standard Operating Procedures and Departmental Orders.
- ii. All requests for time off will be directed to the Commander of the Labor Relations Unit.

Lt. Marc A. Redondo

Lt. Marc A. Redondo
Commander
Labor Relations Unit

9/24/2013

Effective Date



STANDARD OPERATING PROCEDURES: S.O.P 1 (CONTINUED)

- D. If the D.D.R.B. Administrator is unable to report for duty on time, he/she must call the Commander of the Labor Relations Unit as soon as possible stating the reason for delay and approximate time of arrival.
- E. If the Labor Relations Commander is unavailable, the Administrator will notify the Sergeant.
- F. On days when a hearing is scheduled the D.D.R.B. Administrator's duty hours will be 0900 to 1800 to ensure adequate time for preparation before the hearing.

City of Miami



EMILIO T. GONZALEZ, Ph.D.
City Manager

DISCIPLINARY DETAIL

STANDARD OPERATING PROCEDURES

S.O.P. 2

SUBJECT: HURRICANE EMERGENCY PROCEDURES

PURPOSE: To provide a course of conduct for Disciplinary Detail personnel should a Hurricane threaten the City of Miami.

SCOPE: Each member of the Disciplinary Detail will be responsible for monitoring the threat of a Hurricane striking the City of Miami. Once notified of this threat the member will refer to Departmental Orders, for general procedures. For specific instructions the member will follow the procedures outlined below.

- I. Prepare in advance for the safety and security of personal property and family members with the expectation that you will be working and not at home immediately prior to, during, and immediately after a storm.
- II. Monitor WIOD (610) and WGBS (710) for weather updates and contact the MPD Bridge for reporting procedures.

17 [Signature] 27512

Lt. Marc A. Redondo
Commander
Labor Relations Unit

9/24/2018

Effective Date



STANDARD OPERATING PROCEDURES: S.O.P 2 (CONTINUED)

- III. If a hurricane is due to strike within 24 hours (“Hurricane Warning”), plan on reporting for duty 6 hours prior to actual impact.
- II. Bring sufficient personal equipment and supplies to remain at work for 72 hours.
- V. Lock all equipment and correspondence in a secure location. Secure all property.

HURRICANE PREPARATION CHECK LIST

- _____ 1. Remove files or boxes from the floor.
- _____ 2. Lock all file cabinets.
- _____ 3. Secure all non-stationary items (papers, books, ect.)
- _____ 4. Unplug all electrical equipment (i.e., computers, calculators.)
- _____ 5. Place plastic coverings on all office equipment and secure with tape.
- _____ 6. Close all doors to offices with windows.
- _____ 7. Store all computer media.
- _____ 8. Desktop items (i.e., staples, calendars) will be placed inside file cabinets.
- _____ 9. Wall hangings (i.e., bulletin boards, pictures will be placed inside file cabinets.

City of Miami



EMILIO T. GONZALEZ, Ph.D.
City Manager

DISCIPLINARY DETAIL

STANDARD OPERATING PROCEDURES

S.O.P. 3

SUBJECT: EMERGENCY MOBILIZATION PROCEDURES

PURPOSE: To provide a general outline of procedures to cover the duties and responsibilities of the Disciplinary Detail in the event a State of Emergency is declared within the City of Miami.

SCOPE: In the event of the occurrence of any situation in the City of Miami which results in a threat to the general safety of the public, when such occurrence necessitates the implementation of the Emergency Mobilization Plan, the Disciplinary Detail shall be mobilized under the following guidelines.

- I. The Commanding Officer will report to the E.O.C. for deployment assignment of personnel.
- II. Personnel of the Disciplinary Detail will report to the Unit's office and await their assignments. Should the emergency occur during off duty hours, the Commanding Officer will contact the pre-designated supervisor who will notify unit personnel. Each member shall be responsible for retaining a copy of the Emergency Mobilization List at all times.

11 LRL 2018

Lt. Marc A. Redondo
Commander
Labor Relations Unit

9/24/2018

Effective Date



City of Miami



EMILIO T. GONZALEZ, Ph.D.
City Manager

DISCIPLINARY DETAIL

STANDARD OPERATING PROCEDURES

S.O.P. 4


SUBJECT: BUDGET PREPARATION

PURPOSE: To prepare for the upcoming budget year by forecasting and documenting predicted expenditures.

SCOPE: During the course of the year while the Disciplinary Detail performs its everyday duties it is incumbent upon each member to document the use of resources. In this manner there will be sufficient justification in requesting funds for the upcoming budget year. The following steps will be taken to prepare for budget requests.

PROCEDURES:

- I. All requests for supplies will be photocopied and filed.
- II. All requests for equipment borrowed will be photocopied and filed.
- III. The budget commander will be contacted prior to budget preparation for guidance and assistance.

 27512

Lt. Marc A. Redondo
Commander
Labor Relations Unit

9/24/2018
Effective Date



City of Miami



EMILIO T. GONZALEZ, Ph.D.
City Manager

DISCIPLINARY DETAIL

STANDARD OPERATING PROCEDURES

S.O.P. 5

SUBJECT: READING BOARD

PURPOSE: To ensure members of the Disciplinary Detail receive all bulletins issued by the Miami Police Department, City of Miami, and other official sources.

SCOPE: The Miami Police Department issues written correspondence on a regular and special basis to disseminate information, policies, regulations procedures, rules, orders, directives, notices, laws, schedules and announcements as a means to inform its members of essential information.

- I. Each member of the Disciplinary Detail will ensure all essential correspondence is posted on the reading board.
- II. Each member of the Disciplinary Detail will review the Dctail reading board on a daily basis to familiarize themselves with newly distributed correspondence.

Marc A. Redondo 27512

Lt. Marc A. Redondo
Commander
Labor Relations Unit

9/24/2013

Effective Date



STANDARD OPERATING PROCEDURES: S.O.P 5 (CONTINUED)

- III. The reading board will be purged of all correspondence as needed. All correspondence will be maintained and stored in a separate file for future reference. All items dated over two years may be destroyed.
- IV. The reading board will be placed in a convenient location.

City of Miami



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City Manager

DISCIPLINARY DETAIL

STANDARD OPERATING PROCEDURES

S.O.P. 6

SUBJECT: NEWS MEDIA CONTACT

PURPOSE: To control the information given to News Media personnel concerning Disciplinary activities.

SCOPE: The Public Information Office will release all requests from the Media concerning Disciplinary Detail policies and activities. **There are no exceptions.**

17 [Signature] 77512

**Lt. Marc A. Redondo
Commander
Labor Relations Unit**

9/24/2018

Effective Date



City of Miami



EMILIO T. GONZALEZ, Ph.D.
City Manager

DISCIPLINARY DETAIL

STANDARD OPERATING PROCEDURES

S.O.P. 7

SUBJECT: FILING SYSTEM

PURPOSE: To ensure integrity of the Disciplinary Detail files.

SCOPE: Detail files will be maintained according to the Departmental filing system.

All files will be locked and secured. No entry by unauthorized persons will be allowed. All requests to obtain or view the files will be made through the Labor Relations Commander.

All correspondence initiated or received by the Detail will be maintained in the files according to the departmental filing system.

Lt. Marc A. Redondo
Commander
Labor Relations Unit

9/24/2018

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City of Miami



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City Manager

DISCIPLINARY DETAIL

STANDARD OPERATING PROCEDURES

S.O.P. 8

SUBJECT: Scheduling of D.D.R.B. Hearings.

PURPOSE: To provide guidelines necessary to schedule D.D.R.B. Hearings minimizing impact on work schedules of members, witnesses, representatives, and disciplined employees.

SCOPE: Oftentimes hearings are lengthy and take a considerable amount of time. To minimize disruption to the mission of the Department, efforts must be taken to schedule persons attending the hearings in the most efficient and economical manner possible.

- I. The D.D.R.B. Administrator will follow the steps enumerated below to facilitate the timely scheduling of, and required attendance at D.D.R.B. Hearings:
 - A. D.D.R.B. Hearings can be scheduled on any day of the week, or at the specific direction of the Labor Relations Commander or the Chief of Police.

LT Marc A Redondo 77512

Lt. Marc A. Redondo
Commander
Labor Relations Unit

9/24/2018

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STANDARD OPERATING PROCEDURES S.O.P. 8 (CONTINUED)

- B. All persons attending D.D.R.B. Hearings will be on duty, or duty hours and/or E-days will be changed to accommodate the hearings.
1. Attendance is required as follows:
 - a. In all vehicular accident cases requiring review by the Accident Review Board, the chairperson of the Accident Review Board or his/her designee will be scheduled to attend the D.D.R.B. Hearing.
 - b. In all discharge of firearms cases that require the convening of the Firearms Review Board (F.R.B.), the chairperson of the F.R.B. will be scheduled to attend the D.D.R.B. Hearing.
 - c. In all disciplinary actions cases, which have been the subject of an Internal Affairs investigation, the lead investigator will be scheduled to attend the D.D.R.B. Hearing. D.D.R.B. will coordinate with Internal Affairs for the identification and notification of any additional witnesses.
 2. Exclusions are as follows:
 - a. The designated Chairperson for a scheduled D.D.R.B. hearing **will not** be the affected employee's Section Commander.
 - b. The designated department representative (Lieutenant/Captain) for a scheduled D.D.R.B. Hearing **will not** be in the affected employee's chain of command.
 - c. Any person who participated in the investigation must be excluded from serving on the Board.
- II. To ensure the timely distribution and return of the form, an employee, who is required to attend a scheduled D.D.R.B. Hearing, will be notified via departmental e-mail, and by the D.D.R.B. Hearing Notice form, which is prepared by the D.D.R.B. Administrator for the designated chairperson's signature.

STANDARD OPERATING PROCEDURES: S.O.P 8 (CONTINUED)

- A. Form distribution is to occur a minimum of two (2) weeks prior to the scheduled D.D.R.B. hearing date. The original copy of the form will be maintained in the respective D.D.R.B. case file, and a copy of the form will be sent directly to:
 - 1. The affected employee.
 - 2. The affected employee's Commanding Officer
 - B. Each form is to specify a due date of one (1) week subsequent to distribution, and mandates written employee acknowledgement to form receipt.
 - C. Forms containing written acknowledgements by employees, which are returned to the Disciplinary Detail office, are to be retained in the respective D.D.R.B. case file.
 - D. To ensure the timely return of outstanding forms, verification will be made by the Disciplinary Detail one (1) week prior to the scheduled date of the D.D.R.B. Hearing. In instances where a form is not returned by the assigned due date, a duplicate copy of the form will be expeditiously delivered to the employee's commanding officer assigning a due date not to exceed four (4) days. The D.D.R.B. Administrator will also attempt to notify the employee via phone. If the hearing notification is made via phone the Administrator will inform the employee that a redline memo to file will be prepared to document the notification date and time.
 - E. Follow-up prior to the date of scheduled D.D.R.B. Hearing to ensure that a signed copy of the form for each employee scheduled to attend is in the respective D.D.R.B. case file.
- III. The convening of the D.D.R.B. Hearing shall be effectuated as expeditiously as possible following the written request of the disciplined employee, no sooner than fifteen (15) days after receipt of disciplined package, however, not to exceed thirty (30) days.

STANDARD OPERATING PROCEDURES: S.O.P 8 (CONTINUED)

- A. In accordance with the current labor agreement (F.O.P.), all sworn bargaining unit members may be afforded a D.D.R.B. review. Police Recruits **are not** entitled to a D.D.R.B. Review or Hearing.
 - B. The scheduling of a D.D.R.B. Hearing for an employee pending termination is to take precedence over all other D.D.R.B. Hearing requests, which may be pending scheduling. These hearings will be scheduled no sooner than ten (10) days after receipt of the disciplinary packages but shall not exceed twenty (20) days.
 - C. The FOD ComStat room will be the designated permanent location for D.D.R.B. Hearings. If that room is unavailable, the Personnel Resource Conference Room #319B will be the backup location to hold D.D.R.B. Hearings. The D.D.R.B. Administrator will coordinate with the Section Commander's Secretary to provide advance notice to ensure the availability of the conference room for scheduled D.D.R.B. Hearings.
- II. A request for a continuance of a D.D.R.B. Hearing must be received in writing by the D.D.R.B. Chairperson seventy-two (72) hours prior to the time of the scheduled hearing. The D.D.R.B. Chairperson may grant approval.
- A. Should an accused employee, who is **pending termination** request to continue a hearing or delay it's convening, the employee is required to waives his emoluments in exchange for the continuance of the hearing. The waiver of emoluments shall be recorded on a completed "Waiver of Emoluments" form, which must be signed by the employee, and notarized.
 - B. A continuance or delay of the D.D.R.B. Hearing upon the employee's request shall not exceed 150 calendar days, unless at the sole discretion of management a further continuance of the D.D.R.B. Hearing would be approved.

City of Miami



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City Manager

DISCIPLINARY DETAIL

STANDARD OPERATING PROCEDURES


S.O.P. 9

SUBJECT: CHAIRPERSON'S REVIEW

PURPOSE: To provide a fair and consistent review of contested disciplinary actions, under two tours of duty.

SCOPE: During a review the D.D.R.B. Chairperson will follow the steps listed below:

- Review all applicable documents.
- Interview witnesses.
- Interview chain of command when necessary.
- Analyze data.
- Review applicable written directives
- Draw a conclusion and make a finding.
- Forward memorandum to Chief of Police.



 Lt. Marc A. Redondo
 Commander
 Labor Relations Unit
 9/24/2018

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DISCIPLINARY DETAIL

STANDARD OPERATING PROCEDURES

S.O.P. 10

SUBJECT: DISCIPLINARY ACCIDENT PACKAGES

PURPOSE: To outline needed procedures in processing disciplinary action involving preventable accidents.

SCOPE: In cases involving disciplinary action for preventable accidents the D.D.R.B. Administrator will ensure the following occurs:

- I. The disciplinary package will be reviewed for an Accident Review Board (A.R.B.) ruling. If none, the report will be directed to the A.R.B. prior to a D.D.R.B. review or hearing.
- II. If the disciplinary package has been reviewed by the A.R.B. and ruled preventable, the Chairperson will review the package for consistency, accuracy, and thoroughness. All discrepancies will be returned to the chain of command for clarification. The D.D.R.B. Chairperson, at the request of the employee will review any accident reprimands containing up to two (2) tours of duty.

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STANDARD OPERATING PROCEDURES: S.O.P 10 (CONTINUED)

- III.** If the accident reprimand contains a recommendation exceeding two (2) tours of duty, upon the employee's request a D.D.R.B. Hearing will be scheduled, and the A.R.B. Chairperson or designee will be requested to attend the D.D.R.B. Hearing.

City of Miami



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DISCIPLINARY DETAIL

STANDARD OPERATING PROCEDURES

S.O.P. 11

SUBJECT: HEARING PROCEDURES

PURPOSE: To formalize and standardize the conduct of the hearing.

- SCOPE:**
- I. The Chairperson will call the Hearing to order after all parties are in attendance. The Police Department representative and the disciplined party or his/her representative will be asked if they are ready to proceed.
 - II. The Chairperson will ask the Police Department representative if all witnesses are present, and if he/she still agrees to defend the reprimand as it is written.
 - I. The Chairperson will ask the disciplined employee if he/she stipulates to any portion of the charges or penalty.
 - II. Whenever the disciplined employee agrees with the facts of the case, but contests the penalty, then the Board will determine **only** the appropriateness of the penalty.

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STANDARD OPERATING PROCEDURES: S.O.P 11 (CONTINUED)

- III. If all parties are ready:
 - A. The reprimand is read, or the disciplined employee can waive the reading of the body of the reprimand, but the charges **must** be read for the record.
 - B. The Police Department representative will present his/her case.
 - C. Following his/her presentation and testimony, the Board, employee, or employee representative may request clarification of the facts presented.

- VI. The employee or his/her representative will present the rebuttal to the charges. Following the presentation, the Board or Police Department representative may inquire for clarification. After both parties have presented their case, the Chairperson will ask the employee or his/her representative to present his/her closing argument. Next, the Department Representative will be asked to give his/her closing argument. All parties will be excused while the Board deliberates.

- VII. The disciplined employee's career disciplinary profile will be provided to D.D.R.B. Hearing Board members only when a majority finding of "Agree" to any cited violations occurs.
 - 1. After deliberation, each member of the Board will sign the written ballot verifying the accuracy of the vote.

- IX. The Chairperson will ask the disciplined employee to return and inform him/her of the results of the vote.

- X. **Final Report:**

- A. The D.D.R.B. Administrator prepares for the Chairperson's approval and signature the written ballot, the disciplinary package, and a summary memorandum outlining the course and results of the hearing.

STANDARD OPERATING PROCEDURES: S.O.P. 11 (CONTINUED)

- B. The initial draft of a D.D.R.B. Hearing report, which is prepared by the D.D.R.B.
- C. The final report and all related documentation will be forwarded to the Chief of Police after the review and approval of the D.D.R.B. Chairperson.

XI. TARDINESS OR FAILURE TO APPEAR

The Chairperson should wait a reasonable time (15-30 minutes) for the arrival of late individuals. If contacted by the disciplined employee within this 30-minute time period with an acceptable excuse the hearing may be further delayed or rescheduled for later that day upon the agreement of the Staff, Board Members, and all other parties involved. This delay will be at the discretion of the Chairperson. Disciplined officers who are late beyond 30 minutes or fails to show without an acceptable excuse will automatically forfeit their hearing, and the package will be forwarded to the Chief of Police for final decision along with memorandum documenting the failure to appear.

City of Miami



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DISCIPLINARY DETAIL

STANDARD OPERATING PROCEDURES

S.O.P 12

SUBJECT: CONDUCT OF HEARING DELIBERATION

PURPOSE: To provide a fair hearing for employees.

SCOPE: During deliberation the Chairperson will summarize the case objectively for the Board.

There will be two ballots. The first will be to agree or disagree with the charges. If, by a majority, the board agrees with any of the charges, a second ballot will be taken to determine the appropriateness of the recommended penalty on the reprimand. If the Board, by a majority, disagrees with the penalty, the Board can vote on an alternate penalty to be recommended to the Chief of Police, but the Board must be unanimous.

Each member of the Board will sign a D.D.R.B. Consensus Form confirming the charges and results of the vote. The proceeding will then be finalized and concluded.

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STANDARD OPERATING PROCEDURES: S.O.P. 12 (CONTINUED)

I. CANCELLATION OF HEARINGS

In the event a previously scheduled D.D.R.B. Hearing must be cancelled, the following procedure is to be followed:

- A. Notify all board members, witnesses and employees via memorandum of the cancellation if time permits.
- B. If notification by memo is not practical due to time restraints, the D.D.R.B. Administrator will attempt to notify all parties involved via telephone and e-mail.
- C. The reason/cause for a D.D.R.B. Hearing cancellation shall be documented by the D.D.R.B. Administrator and incorporated in the respective D.D.R.B. case file.

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DISCIPLINARY DETAIL

STANDARD OPERATING PROCEDURES

S.O.P. 13

SUBJECT: DISCIPLINARY LETTERS

PURPOSE: To provide guidelines for drafting of disciplinary letters.

SCOPE: In order to comply with the essential requirements of the law, the following procedures must be followed:

SWORN/CIVILIAN EMPLOYEES:

- I. Whenever the Chief of Police signs a reprimand, it is returned to the Disciplinary Detail. Copies of the signed reprimand will be provided to the affected employee's section commander, the supervisor who issued the reprimand, the Personnel Unit, the Internal Affairs Section, and the affected employee. In addition to the above distribution of a finalized reprimand, if the reprimand has a forfeiture of earned time, or a suspension from duty, copies of the reprimand will be forwarded to the Payroll Unit, so the forfeiture of time can be processed or the suspension from duty can be tracked and recorded.

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STANDARD OPERATING PROCEDURES: S.O.P. 13 (CONTINUED)

- II. If there is a penalty contained within the reprimand, specifying forfeiture of earned time, suspension from duty, demotion or dismissal, the D.D.R.B. Administrator will draft a letter to the employee from the Chief of Police notifying him/her of the disciplinary action, reason for the disciplinary action, and the effective date. A copy of the documentation leading to the dismissal will be retained in his/her employment records. The sources of information for letters of disciplinary action are restricted to the employee and the Internal Affairs investigation report. (CALEA 26.1.7 a, b.)
 - A. A penalty of “WW” (Without Wages) shall not be included in the letter of disciplinary action.
 - B. Any additional information identified during a D.D.R.B. Hearing is not to be included in the letter of disciplinary action.
- III. A letter of disciplinary action will have attached all supporting documentation, i.e. reprimand, D.D.R.B. Hearing Report, I.A. investigation report, and must mirror documented violations and penalties unless otherwise justified. The letter is typed by the D.D.R.B. Administrator and submitted to the Chief of Police for final review, approval, and signature.
- IV. After the Chief of Police signs the letter, the employee is notified via memorandum to report to the Disciplinary Detail to sign the letter as soon as possible.
 - A. The notification of an employee, who is relieved of duty and pending termination, but is **not** reassigned, will be coordinated through Internal Affairs. The employee’s notification and termination will simultaneously occur on the date the letter of disciplinary action is signed by the Chief of Police, if possible, or no later than the following regularly scheduled business day.
 - B. The notification of an employee, who is relieved of duty and pending termination, but is reassigned, will be coordinated through the employee’s current commanding officer. The employee’s notification and termination will simultaneously occur on the date the letter of disciplinary action is signed by

the Chief of Police, if possible, or by no later than the following regularly scheduled business day.

STANDARD OPERATING PROCEDURES: S.O.P. 13 (CONTINUED)

- C. A suspension from work will commence on the effective date ordered by the Chief of Police and will be served consecutively by the disciplined employee.
- D. In accordance with the City of Miami Civil Service Rules and Regulations, when any employee in the classified service with permanent civil service status who has been suspended reduced in rank, or dismissed, and appeals to the Board, the appeal must be made in writing within fifteen (15) days from the effective date of the suspension, reduction, or dismissal.
 - (1) The fifteen days are computed by counting, the first day, which is the day immediately following the effective day, and then counting fifteen consecutive calendar days thereafter.
 - (2) In accordance with City of Miami Civil Service Rules and regulation, a probationary employee has no Civil Service rights and **shall not** be afforded a hearing before the Civil Service Board.

After the employee signs the Chief's disciplined letter, it is distributed as follows:

- 1. MRC Labor Relations *
- 2. A.F.S.C.M.E. (Civilians Only) *
- 3. Internal Affairs **
- 4. Department of Human Resources *
- 5. Payroll (Involving Earned Time Loss, Suspension, or Termination) **
- 6. Police Personnel (Involving Earned Time Loss, Suspension, or Termination) **
- 7. Disciplined Employees Commanding Officer **

* Internal Affairs is responsible for distribution

** D.D.R.B. is responsible for distribution

City of Miami



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City Manager

DISCIPLINARY DETAIL

STANDARD OPERATING PROCEDURES

S.O.P. 14

SUBJECT: EMPLOYEE PERFORMANCE EVALUATIONS

PURPOSE: To establish policy governing employee performance evaluations.

SCOPE: Departmental Orders require periodic evaluation of each employee. The Disciplinary Detail guidelines and procedures regarding these evaluations are set forth as follows:

- I. Employee Annual Evaluation Reports
 - A. Every employee of the Disciplinary Detail will be evaluated annually on his/her anniversary date by his/her supervisor.
 - B. Supervisors will prepare a Performance Manager Plus (PMP) evaluation for each employee assigned.
 - C. The Performance Manager Plus (PMP) evaluation report will be completed and submitted to the Unit Commanding Officer for review within five (5) days prior to preparing the permanent copies, which are to be signed by the employee.

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STANDARD OPERATING PROCEDURES: S.O.P 14 (CONTINUED)

- D. After review and approval by the Unit C.O., the Performance Management Plus (PMP) report will be returned to the supervisor for finalization to present to the employee to sign. The employee will be counseled, if necessary, at the time of the presentation.
 - E. It is expected that when an employee commits a violation, or less than acceptable performance as an employee, it should be documented by memo to the Unit C.O. with a copy placed in the employee's personnel folder.
 - F. In the same manner, all exceptional improvements or performances should be recorded and taken into account at the time the evaluation is prepared.
- II. In the course of evaluating an employee, the following information should be researched and placed in the narrative portion of the report.
- A. Current assignment of employee.
 - B. "I" and "D" time used, "I" days in conjunction with "E" days.
 - C. Vehicle accidents
 - D. Commendations
 - E. Reprimands
 - F. Court profile
 - G. Corrective memorandums placed in Unit personnel Jacket
 - H. Internal Affairs record, complaints dispositions, etc.
 - I. Productivity, quality, quantity considerations
 - J. Identified problems and corrective action taken or recommendations.

STANDARD OPERATING PROCEDURES: S.O.P. 14 (CONTINUED)

- K. Any other information pertinent to employee's performance and effectiveness for the twelve (12) month evaluation period.

Overall, the evaluation reports should include a detailed account of an employee's performance and effectiveness for the rating period.

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DISCIPLINARY DETAIL

STANDARD OPERATING PROCEDURES

S.O.P. 15

SUBJECT: QUARTERLY DRAWING OF OPEN MEMBER ROSTER

PURPOSE: To coordinate the random selection of sworn department members to serve as "Open Members" on the D.D.R.B.

SCOPE: The Departmental Orders provides for a random selection of all sworn department personnel, by rank, to serve as open members on the D.D.R.B.

- I. Quarterly, the Disciplinary Detail will obtain lists of all sworn members in the department prior to the computerized random selection process. These lists will be separated by rank, inclusive of officers, sergeants, lieutenants. This list will also be separated by uniform and plainclothes personnel.
- I. The Disciplinary Detail will post the quarterly drawing in the Official Bulletin.

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STANDARD OPERATING PROCEDURES: S.O.P. 15 (CONTINUED)

- I. The required number of personnel selected to serve on the open member roster are as follows:
 - Thirty-five (35) uniformed Officers
 - Fifteen (15) plainclothes Officers
 - Six (6) uniformed Sergeants
 - Four (4) plainclothes Sergeants
 - Five (5) Lieutenants

- II. The D.D.R.B. Administrator will coordinate the drawing process by randomly drawing names until the required number of members is selected. Members who have been the subject of a full board hearing within the past six months are not eligible to serve on the board and a replacement name must be drawn.

- III. Upon completion of the drawing, the D.D.R.B Administrator will prepare a memorandum requesting the new list be published in the Official Bulletin. Each section (rank) will be numbered. These numbers will be used in drawings for individual hearings. The D.D.R.B. Administrator will keep a copy of the bulletin for her use in drawing open members for each hearing.

- IV. When conducting the open member drawing for a hearing, the D.D.R.B. Administrator will prepare a Hearing Notification memorandum with the completed open member roster and forward the list to the disciplined employee. (The member shall not be of a lesser rank. Upon receipt of the list, the employee shall, within five days, exercise his/her three choices, identify one alternate, and return the list to the D.D.R.B. Administrator. The D.D.R.B. Administrator will then schedule a hearing.

- V. If the disciplined employee does not return his/her Hearing Notification Form by the designated date, the D.D.R.B. Administrator will select the two (2) names from the list as the Board Members and third name for the alternate member.

City of Miami



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DISCIPLINARY DETAIL

STANDARD OPERATING PROCEDURES

S.O.P. 16

SUBJECT: SCHEDULING, MONITORING, UPDATING, AND FOLLOW-UP TO FACILITATE AND ENSURE THE TIMELY PROCESSING AND CONCLUSION OF D.D.R.B. CASES.

PURPOSE: To outline procedures for the timely processing of D.D.R.B. cases.

SCOPE: Upon receipt of a reprimand, the D.D.R.B. Administrator will ensure the following occurs:

- I. Prior to D.D.R.B. processing:
 - A. The reprimand must be signed by the Division Chief
 - B. Vehicle accidents will be reviewed by the A.R.B.
 - C. Police shootings will be reviewed by the F.R.B.
 - D. The disciplined employecc’s supervisor **must** provide a career disciplinary profile for the affected employee.

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STANDARD OPERATING PROCEDURES: S.O.P. 16 (CONTINUED)

- I. In instances where a reprimand is the charging document, it **must** include the employee's signature reflecting acknowledgement, his/her acceptance or refusal.
- II. Date-stamp the upper left-hand side of the charging document.
- III. Assign the next consecutive D.D.R.B. log number and record the log number above the document and within D.D.R.B. logbook and D.D.R.B. data base.
- IV. A "D.D.R.B. Case Check List" form will be prepared and attached to the left side of the folder for each reprimand received.
 - A. The form will be updated by the D.D.R.B. Administrator to reflect the status of the case.
 - B. The form will be retained along with the D.D.R.B. case file.
- V. The "D.D.R.B. Log" will be updated (in conjunction with the D.D.R.B. Case Check List Form) to reflect the current status of each case.
 - A. The "D.D.R.B. Log" will be reviewed biweekly; by the 15th day and by the last day of every month to ensure updated information, and to identify any problems, concerns, or delays.
 - B. Notify the Labor Relations Unit commander and supervisor of any problems, concerns, or delays.
- VI. Failure to comply with established time requirements for the below-listed items frequently result in delays in the D.D.R.B. process. It is therefore necessary that the following requirements be strictly adhered to:
 - A. The quarterly drawing process is to be completed no later than the 20th day of the last month (March 15, June 15, Sept. 15, Dec. 15) of each quarter.

STANDARD OPERATING PROCEDURES: S.O.P. 16 (CONTINUED)

- B. In accordance with D.D.R.B. S.O.P.'s, D.D.R.B. Hearings are to be scheduled as follows:
 - 1. Employee who is not relieved of duty – Set hearing date within 10-30 days of receipt of D.D.R.B. hearing request memorandum by disciplined employee.
 - 2. Employee who is relieved of duty – Set hearing date within 10-20 days of receipt of D.D.R.B. hearing request memorandum by disciplined employee.
- C. In accordance with Departmental Orders, the Notification form specifying the employee and organizational representatives' selections is to be returned to the D.D.R.B. Office within five days.
 - 1. Whenever a response is not received by the D.D.R.B. Office within five days after receipt by the employee, document the failure to comply in the D.D.R.B. copy of the form.
- D. D.D.R.B. Chairperson reviews are to be expeditiously assigned in instances of reprimands with no time loss.
 - 1. To facilitate the timely processing of the files, the D.D.R.B. Administrator will contact the assigned Chairperson on a weekly basis for an update, and to remind the Chairperson of the necessity for the timely completion/submission of the review to the D.D.R.B. Office.
 - 2. In accordance with Departmental Orders, an appeal of the Chairperson's recommendation of a reprimand with up to two tours of duty forfeiture/suspension must be received by the D.D.R.B. Office within ten (10) calendar days upon the employee's receipt of the Chairperson's decision.

STANDARD OPERATING PROCEDURES: S.O.P. 16 (CONTINUED)

3. If a written appeal of the D.D.R.B. Chairperson's review is not received within the ten calendar days specified, the D.D.R.B. Administrator will attempt to contact the affected employee via telephone and note findings on the D.D.R.B. file copy of the Chairperson's review memorandum. The affected employee's failure to appeal within the ten (10) calendar days allowed for requesting further appeal will result in the employee's waiver of his/her rights to have a full D.D.R.B. Hearing, and the respective file will be forwarded to the Chief of Police for a final decision.

City of Miami



EMILIO T. GONZALEZ, Ph.D.
City Manager

DISCIPLINARY DETAIL

STANDARD OPERATING PROCEDURES

S.O.P. 17

SUBJECT: PROCEDURE FOR MOBILIZATION OF PERSONNEL IN THE EVENT OF A CIVIL DISORDER

PURPOSE: To outline the procedures for mobilizing personnel and to provide whatever resources necessary to adequately support the mobilization.

SCOPE: General Mobilization Instructions - The Disciplinary Detail shall maintain an updated emergency mobilization list. This list shall contain current addresses and phone numbers of all personnel assigned to the Detail. **This list is confidential and shall not be posted or placed in any unsecured area.**

- I. On a monthly basis, an EML shall be prepared and forwarded by the 20th of each month to the Commanding Officer of the Personnel Resource Management Section for civilian personnel.

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STANDARD OPERATING PROCEDURES: S.O.P. 17 (CONTINUED)

- I. Upon notification to mobilize, the Commander of the Labor Relations Unit will notify sworn personnel to report to their designated area of responsibility. Sworn personnel who do not have a special civil disorder assignment will report to the roll call room for assignment to a Field Force.
- II. Training needs relative to mobilization will be identified, and personnel will be scheduled for Response Platoon Training or other appropriate training on an as needed basis.
- III. For additional information regarding responsibilities during civil disorders, refer to Departmental Orders.

City of Miami



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DISCIPLINARY DETAIL

STANDARD OPERATING PROCEDURES

S.O.P. 18

SUBJECT: DISCIPLINARY ACTION PROCESSING AND TRACKING

PURPOSE: To provide guidelines for the processing and tracking of disciplinary actions.

SCOPE: Disciplinary actions are received and processed in the format of reprimands citing violations and memorandums describing failure to meet standards. To ensure the timely processing of all disciplinary actions received by the Disciplinary Detail, upon receipt of a disciplinary action, the D.D.R.B. Administrator will:

- I. Record the disciplinary action within the D.D.R.B. logbook and the D.D.R.B. computerized tracking system.
- II. Date-stamp the charging document.
- III. Assign the next consecutive D.D.R.B. log number and record the log number over the date within the date-stamp on the charging document, and within D.D.R.B. log book and computerized tracking system.

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STANDARD OPERATING PROCEDURES: S.O.P. 18 (CONTINUED)

- IV. Review charging document for the chain of command approvals through the Division Chief to ensure compliance.
- I. Review D.D.R.B. file for the career disciplinary profile, to ensure accuracy.
- II. Review the charging document for employee's signature of acknowledgement, and his/her agreement/disagreement, acceptance/refusal.
- III. Prepare a D.D.R.B. Activity Log sheet for each disciplinary action received and attach the Log Sheet to the inside left of the D.D.R.B. folder. Update the form during each step of the D.D.R.B. process.
- IV. Maintain a copy of each file by numerical D.D.R.B. number, and by year in the designated D.D.R.B. file storage area.
- V. Update D.D.R.B. log and database to reflect current status of respective case file.

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DISCIPLINARY DETAIL

STANDARD OPERATING PROCEDURES

S.O.P. 19

SUBJECT: COMPUTERIZED DISCIPLINARY ACTION TRACKING SYSTEM

SCOPE: When the Disciplinary Detail receives disciplinary actions in the form of a Reprimand or Record of Formal Counseling reports, the document details will be entered into the D.D.R.B computerized data base. This data base will facilitate a timely retrieval of past disciplinary related information for future reference. The D.D.R.B. Administrator enters such information into the D.D.R.B. computerized disciplinary system as follows:

1. D.D.R.B. Log number
2. Disciplined employee's name and rank
3. Disciplined employee's P.I.N. number
4. Date of entry into data base
5. Date of incident (Derived from body of reprimand)
6. Primary charge and secondary charge
7. Description of incident and Penalty
8. Author of discipline
9. Status
10. Final disposition

Departmental supervisory personnel, who are seeking such information as a source of reference to ensure consistency in recommending penalties for similar violations pending disciplinary action, are to be provided with the requested information.

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DISCIPLINARY DETAIL

STANDARD OPERATING PROCEDURES

S.O.P. 20

SUBJECT: RELEASE OF D.D.R.B. RECORDS

PURPOSE: To provide guidelines for the release of D.D.R.B. Records

- SCOPE:**
- I. Completed investigations for officer discipline purposes: An officer discipline investigation is considered completed upon receipt of all investigative finding, supporting information and documentation, and must include the **final** agency disciplinary action, as approved by the agency administrator, after completion of all internal reviews and appeals. Internal reviews and appeals include any type of review prior to determination of the final disciplinary action to be imposed, i.e. disciplinary appeal boards.
 - II. Requests for the records of D.D.R.B. proceedings **will not** be released to anyone other than the affected employee, his/her attorney or representative, or the investigator until the Chief of Police has made a final decision on discipline, and a request for public records form is completed and reviewed by the Assistant City Attorney assigned to the Police Department.

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