

BERLIN POLICE DEPARTMENT  
Berlin, Maryland

Subject DISCIPLINARY PROCESS - HANDLING COMPLAINTS		No. 500 D-2
Effective Date	Amends January 9, 1995	Rescinds G. O. 47-86
Distribution A	References Maryland Public Safety Article Title 3, Section 3-101 through 3-111	

.10 Complaints Originating Outside the Department

A. Personnel receiving a complaint from a source originating from outside the department shall refer the individual(s) to an On-Duty supervisor/superior of the member against whom the complaint is being made.

B. In the absence of a supervisor/superior, the complainant shall be referred to the appropriate on call supervisor.

D. Complaints relative to differences of opinion between police officers and citizens over the issuance of traffic citations do not fall under the purview of this order. However, where a traffic case also involves an allegation that a police officer was in violation of the law, or a serious transgression of departmental rules, an investigation restricted to the allegation of misconduct will be conducted in conformity with this General Order.

.20 Complaints Originated by Departmental Personnel

A. Members shall report to their immediate supervisor all violations of departmental rules and regulations, General Orders, memorandums or procedures.

B. Command and supervisory personnel shall initiate complaints when the alleged violation reported or observed is committed by a member under their authority. Violations outside of an individual's authority shall be reported to the affected member's immediate supervisor.

C. In lieu of Paragraph 1 above, a member desiring to file a complaint against a superior shall submit the complaint directly to that superior officer's supervisor. Such a complaint must be made in writing.

.30 Members receiving a completed General Complaint Form alleging brutality shall not accept it unless it has been sworn to and notarized. This shall not restrict a supervisor from making his/her own inquiry into matters brought to his/her attention by a citizen.

.40 Minor Infractions requiring Counseling

When an alleged or observed infraction is of a minor nature, action. Such cases are the responsibility of the supervisor to resolve by oral or written counseling and they will be expected to take non-punitive action without delay.

Examples of such cases are:

- A. Lateness;
- B. Uniform and equipment violations;
- C. Personal appearance infractions;
- D. Minor omissions in assigned duties;
- E. Minor infractions of departmental regulations concerning efficiency or safety;
- F. Discourtesy

.50 Progressive Discipline

- A. When a member's performance or behavior disrupts normal operations, this event will be documented.
- B. If several such events occur and it appears that a pattern is developing, the supervisor shall:
  - 1. Advise the member that the disruptive performance or behavior continues, the supervisor will recommend to the Division Commander that disciplinary action be taken.
  - 2. Document the advisement
  - 3. If the disruptive behavior or performance continues, advise the Division Commander.

.60 Excessive Force - Brutality

In all sworn complaints alleging the use of excessive force in an official capacity against a member of this department, the Division Commander or Shift Supervisor shall:

A. Notify the complainant that by law, the complaint must be sworn to and notarized.

B. Have photographs taken of the alleged injuries involving excessive force. When applicable, photographs should also be taken of the departmental personnel involved.

C. Forward all reports to the Office of the Chief of Police.