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### **PURPOSE**

This document outlines the factors that will be taken into consideration when making disciplinary decisions regarding violations of the Code of Conduct. Establishing a fair and consistent disciplinary system is essential to reducing the misuse of police authority and upholding the department's reputation for professionalism. It is vital that every member of the department understands and adheres to the Standards of Conduct.

It is understood that, in the course of fulfilling their public service duties, department members may occasionally make errors in judgment. While these instances can provide meaningful opportunities for growth and improvement, it is also recognized that not all errors carry the same weight – some may result in more significant consequences for the public, the department, and the member involved.

The department has a responsibility to clearly communicate its expectations to all members. Equally important is the obligation to ensure that the consequences of failing to meet those expectations are well understood. When evaluating conduct deemed improper, it is essential to consider any circumstances that may have contributed to errors in judgment or poor decision-making, as these factors can influence the determination of appropriate consequences.

Disciplinary action must be applied in a manner that is both consistent and fair. Consistency means holding all members equally accountable for unacceptable behavior, while fairness involves considering the circumstances that contributed to the conduct and applying consequences that reflect that understanding. To ensure treatment, disciplinary decisions will be based on a balanced evaluation of all relevant factors. After thoroughly reviewing each case, every effort will be made to impose discipline appropriate to the specific incident, aligned with department standards.

# **DISCIPLINE (AGGRAVATING/MITIGATING FACTORS)**

### **EMPLOYEE MOTIVATION**

The department exists to serve the public. When evaluating a member's conduct, a key consideration is whether their actions aligned with the public interest. If a member violates a policy or procedure while pursuing a legitimate policing goal – and demonstrates an awareness of the broader public good – their actions may be viewed more favorably than those driven by personal motives. At times, the line between public and personal

interest may be unclear. For example, arresting a dangerous criminal serves the public's interest. However, violating the individual's Constitutional rights in the process does not. The greater public interest lies in law enforcement fulfilling its duties while upholding Constitutional protections. However, if a member develops a creative or unconventional solution to address a persistent crime or service issue and unintentionally breaches a minor standard, their initiative may be considered. In such cases, the department may place significant value on encouraging innovation, in the course of determining disciplinary action.

### **DEGREE OF HARM**

The degree of harm caused by an error is a key factor in determining the appropriate consequences for a member's actions. Harm can be assessed in several ways. It can be measured in terms of the financial impact to the department and community. For instance, an error that results in significant damage to department or community property – such as a vehicle –the cost of repairs may be considered. Harm can also be assessed in terms of physical harm. Errors that lead to personal injury, such as those involving an unnecessary use of force, are weighed based on the severity of the harm caused. Another way in which harm can be assessed is the impact on the public trust. The effect of an error on public confidence is critical. When a member engages in criminal behavior, the department's response must clearly demonstrate that such conduct is unacceptable. Failing to do so can erode both trust and confidence in the department.

### **EMPLOYEE EXPERIENCE**

A member's level of experience is an important factor in disciplinary decisions. Greater consideration will be given to relatively new members, or to experienced members working in an unfamiliar role or assignment, when they make an error in judgment. On the other hand, a member with significant experience who makes a mistake that would not typically be expected at their level may face more serious consequences.

# **ERRORS - UNINTENTIONAL/INTENTIONAL**

Errors made by department members can generally be classified as either unintentional or intentional, and the distinction plays a significant role in determining consequences.

An unintentional error is an action or decision that, based on the information available at the time, appeared to comply with policy and seemed appropriate. They may

also include brief lapses in judgment or acts of carelessness that result in minimal harm. While members will be held accountable for unintentional errors, the response will typically be corrective rather than punitive, unless the same errors are repeated over time.

An intentional error involves an action or decision that the member knew – or reasonably should have known – were in violation of the law, department policy, training or the Code of Conduct. Generally, intentional errors will be treated more seriously and carry greater disciplinary consequences. Within the framework of intentional errors, there are certain intentional behaviors that are fundamentally inconsistent with the responsibilities of the policing profession. These include but are not limited to, lying, theft, physical abuse of citizens, and other equally serious breaches of the public trust.

Because truthfulness is essential in maintaining the public trust, any clear or deliberate attempt to be untruthful – especially by sworn members – may result in separation of service. Similarly, acts of theft, abuse, or criminal behavior represent egregious violations that will be addressed with the utmost seriousness.

## **DISCIPLINE MATRIX**

The Discipline Matrix lists Standards of Conduct violations and sanction categories of A through E. The least punitive discipline is category A with discipline becoming more severe as the categories progress to category E. Because certain Code of Conduct violations may include a wide range of facts and circumstances, certain violations contain multiple sanction categories. Given the extensive number of policies contained within the department's Standard Operating Procedures (SOPs), the discipline matrix includes only the most commonly cited SOP violations. Any violation not specifically reflected in the matrix, the full range of disciplinary options remains available and may be applied based on the circumstances of the case.

For each category of misconduct, there are recommended disciplinary guidelines. These guidelines are generally shaped by precedent – specifically, by reviewing comparable disciplinary actions from prior Internal Affairs Division cases. This ensures consistency, fairness, and transparency in how discipline is applied across the department.

This discipline matrix may be updated periodically to reflect the addition of new violations, shifts in disciplinary trends, and evolving priorities for department members. It does not override any applicable laws or provisions outlined in collective bargaining agreements.

# **SANCTION CATEGORIES**

Category A	Category B	Category C	Category D	Category E
Conduct violation	Violations that	Violations	Violations that	Violations that
occurring in a	results in more	that cause a	are	are directly
single incident that	than a minimal	pronounced	fundamentally	contrary to the
results in minimal	negative impact on	negative	inconsistent	core values of
negative impact on	the department	impact on	with the core	MPD. This
department	operations or	department	values of MPD	includes acts of
operations.	reputation. This	operations,	and involve a	serious
Category A	category also	reputation, or	substantial risk	misconduct;
sanctions are	includes actions	relationships.	to officer or	criminal
considered non-	that undermine	This includes	public safety.	behavior; and/or
disciplinary	relationships with	significant		any conduct that
corrective action,	fellow members,	harm to		will effectively
intended to	other agencies, or	working		disqualify a
address the	the public.	relationships		sworn member
behavior without		with		from continued
formal discipline.		employees,		employment as a
		other		law enforcement
		agencies, or		officer.
		the public.		
-Counseling	-Counseling	-Letter of	-Suspension of	-Suspension of
-Policy Review	-Policy Review	Written	Days	Days (>10 days)
-Remedial Training	-Remedial Training	Reprimand	( <u>&gt;</u> 6 but <u>&lt;</u> 10	-Reduction in
	-Letter of Written	-Suspension	days)	Rank
	Reprimand	of Days		-Separation of
		( <u>&lt;</u> 5 days)		Service

# **SANCTION OPTIONS**

The following dispositions are considered formal discipline:

- 1. Letter of Written Reprimand
- 2. Suspension of Days
- 3. Reduction in Rank
- 4. Separation of Service

The following dispositions are considered non-disciplinary corrective action:

- 1. Counseling
- 2. Policy Review
- 3. Remedial Training

### **PROGRESSIVE DISCIPLINE**

The Chief of Police may consider a member's prior sustained misconduct as an aggravating factor when determining the appropriate level of discipline for a current violation. The discipline matrix serves as a guideline and may not always be followed in strict sequence – particularly in cases involving multiple violations or exceptionally egregious circumstances. The Chief of Police reserves the right for discretion to deviate from the matrix based on the specifics of each case, ensuring that disciplinary decisions reflect both the nature of the misconduct and the broader context in which it occurred.

### RIGHTS OF THE CHIEF OF POLICE

In addition to the discipline listed in the matrix above, the Chief of Police reserves the right to impose the following measures which are not considered to be formal discipline: transfer of assignment, extension of probation, counseling, alcohol/drug assessment, psychiatric evaluation, fitness for duty evaluation, or any–other training, treatment, or evaluation reasonably deemed necessary by the Chief of Police.

JEFFREY B. NORMAN CHIEF OF POLICE

JBN:mfk

	Code of Conduct Violations			Categor	у	
	Code of Conduct Violations	Α	В	С	D	E
1.00	COMPETENCE					
-	nsibly manage the authority and resources entrusted to us by the public. We hold ourselves accountable for	the qua	ality of o	ur perfo	rmance	and the
standards	of our conduct. We are exemplary leaders and exemplary followers.				•	
1.01	All probationary members shall be evaluated on their conduct and fitness to perform assigned duties. If a member's conduct or performance of duties is deemed unsatisfactory for continued service, the member shall be discharged, with no right of appeal to the Board of Fire and Police Commissioners.					x
1.02	We work collaboratively – with our colleagues, other agencies, system partners, and the community – to ensure public safety, improve the quality of life, protect those who cannot protect themselves and uphold the law.			Х		
1.03	All department members shall provide prompt and efficient service to the community. When not actively responding to a call for service, members are expected to use their time to support and advance the mission of the department.			Х		
1.04	Police investigations shall be based, at a minimum, on reasonable suspicion or the occurrence of an actual or possible criminal offense. All investigations shall be conducted – and reports prepared – in a prompt, thorough, impartial, and careful manner to ensure accountability and compliance with the law.		Х	Х		
1.05	All department members shall be familiar with departmental policies, procedures, and training and expected to conduct themselves in full accordance with them.					
	a) Department Policy	Χ	Х	Х	Х	Х
	b) Procedures	Χ	Х	Х	Х	Х
	c) Training	Х	Х	Х		
1.06	All department members shall report for duty at the time designated by their supervisors.			Х		—
1.07	All department members shall report to court at the time designated by their subpoena.			Х		—
1.08	All department members shall report fit for duty, and free from impairment. Members shall not be under the influence of alcohol, non-medically used drugs, misused prescription medications, or any substance that may impair their ability to perform their assigned duties.					Х
1.09	No department member shall consume, purchase or possess intoxicating liquor or fermented malt beverages while on duty or in uniform, except with the express approval of the Chief of Police or designee.					
	a) Purchasing of any intoxicating liquor/fermented malt beverage while on duty.		Х			
	b) Consumption of any intoxicating liquor/fermented malt beverage while on duty.					Х

	Code of Conduct Violations	Cate			gory		
	Code of Conduct Violations	Α	В	С	D	E	
	All department members are responsible for the care and safeguarding of both personal and department-						
1.10	issued equipment. Members shall not deface, damage, destroy, modify, or misuse any department property			Х			
2.00	without proper authorization.  COURAGE						
	he safety of others above our own and embrace our moral responsibility to act against injustice and wrong	doing D	onartma	nt mam	hars ara		
-	o take prudent risks in service to the public.	uonig. D	epai tille	int intern	beis ale		
2.01	Police members shall perform their duties with composure and determination. In times of danger or adversity, they are expected to act in unity and support each other in restoring peace and order.			X			
2.02	Members shall actively oppose and, when possible, prevent any violation of these Standards of Conduct. If a violation occurs, members are required to report it. Members who report violations will not face punishment; instead, they will be protected and supported, for upholding the standards of the department.			Х			
2.03	Failure to intervene when a violation of a Standard of Conduct occurs – or is about to occur – shall be treated as if the member committed the violation.	Sanction	to equal t	hat of the	offending	member	
3.00	INTEGRITY						
_	ize the complexity of police work and exercise discretion in ways that are beyond reproach and worthy of police integrity. It is our duty to earn and maintain public trust through consistent, principled words and actions			-			
3.01	Our conduct shall inspire and sustain the confidence of the community we serve. Whether on or off duty, department members shall not engage in behavior that a reasonable person would view as discrediting to the department, or creating the appearance of impropriety or corruption.			X	X	х	
3.02	Members shall avoid regular or ongoing associations with individuals or groups they reasonably believe, know, or should know are engaged in – or planning to engage in – criminal activity, or who advocate the overthrow of government, when such associations could undermine the public trust or compromise the member's credibility or integrity. Exceptions include associations necessary for the performance of duty or familial relationships of which the Chief of Police or designee is cognizant.					Х	
3.03	Police members shall exercise powers of arrest, search, seizure and surveillance only when such actions are lawful, necessary and proportionate.			Х			
3.04	Department members shall treat all official department business as confidential. Such information shall not be disclosed – verbally, electronically or in writing – except to those for whom it is intended or as required by due process of law.			X	Х	X	

	Code of Conduct Violations			Category	/			
	Code of Conduct Violations	Α	В	С	D	E		
	Department members shall obey all local ordinances, as well as state and federal laws, whether on or off-							
	duty. Any violation of ordinances or laws in any jurisdiction shall be reported to the member's supervisor as							
3.05	soon as practical.							
3.03	a) Department members arrested for first/second offense OWI violation					Х		
	b) Department members arrested/cited for ordinance violation (to exclude OWI)			X				
	c) Department members arrested and/or convicted for criminal violations.					X		
	Department members shall not use their official position or affiliation with the Milwaukee Police							
3.06	Department to unnecessarily interfere in the personal affairs or professional responsibilities of any			Х				
	individual or agency.							
	Members shall not recommend or refer any specific attorney to individuals who has been arrested or to							
3.07	anyone acting on their behalf. Members shall not participate in securing legal representation for any victim		Х					
	of a crime or accident.							
	Department members shall not, directly or indirectly, solicit or accept anything of value – such as gratuities,							
	money, rewards, gifts, fees, loans or special considerations – as a result of their official position. Members							
3.08	are not precluded from receiving nominal courtesies and gratuities (i.e., small amounts of food or non-			Х	Χ			
	alcoholic beverages) provided that it is not sought and not given in exchange for, or with the expectation of,							
	any official favor.							
	All sworn members, and civilian members designated as emergency personnel, are subject to the residency							
	requirements outlined in the City of Milwaukee Charter Ordinance. These members are required to							
	establish and maintain their actual and bona fide residence within 15 miles of the jurisdictional boundaries							
3.09	of the City of Milwaukee for the duration of their employment with the department. The Fire and Police					Х		
	Commission (FPC), in accordance with Wis. Stat. § 66.0502(4)(b) has listed the civilian positions classified as							
	emergency personnel pursuant to) in FPC Rule V.							
	emergency personner pursuant to in the characters.							
	All department members shall be honest, forthright and fully candid – whether verbally or in writing – in							
3.10	connection with any administrative inquiry or when preparing or submitting any department report or					Х		
	form.							
						1		
						1		
	Department members are required to be thorough, honest, and accurate in all matters pertaining to					1		
3.11	criminal or civil investigations, reports, or inquiries. No member shall knowingly or with reckless disregard					Х		
	for the truth, make or sign any false official statement.							
						1		
			<u> </u>	<u> </u>		<u> </u>		

		LEADERSHIP  Onal goals that serve the public trust, while fostering the growth of individuals, teams, and the to be lead – both within the community and among our peers – and to be accountable for own ponsibility for the performance, reputation, and morale, of the department.  In example that reflects respect, compassion, integrity  No rank carries special privileges – only greater ugh actions, accountability, and service to others.  Into or stop misconduct is not only a lapse in courage – it insibility to uphold the integrity of the department by  Orofessional, impartial and effective police service. Under their supervision perform their duties properly pervisors must prioritize the department's mission in the that undermines or interferes with its  Indeed their supervision are supported, guided in the ed wisors have a distinct obligation to uphold, promote, providing constant advice and guidance. Supervisors plary behavior, address and correct substandard necessary.  RESPECT				
	Code of Conduct Violations	Α	ı			Е
4.00	LEADERSHIP					
organizati	to influence human behavior in pursuit of organizational goals that serve the public trust, while fostering th on for future service. We embrace our responsibility to be lead – both within the community and among ou well as those of our colleagues. We all share the responsibility for the performance, reputation, and morale	r peers -	- and to	be accou	-	
4.01	We commit to working collaboratively and setting an example that reflects respect, compassion, integrity and efficiency in all that we do.			Х		
4.02	Leadership is not defined by position or rank alone. No rank carries special privileges – only greater responsibility. True leadership is demonstrated through actions, accountability, and service to others.			Х		
4.03	Failure to act when there is an opportunity to prevent or stop misconduct is not only a lapse in courage — it is a failure of leadership. Every member has a responsibility to uphold the integrity of the department by intervening when necessary.			Х	Х	
4.04	Supervisors shall serve as role models by delivering professional, impartial and effective police service. Supervisors are responsible for ensuring that those under their supervision perform their duties properly and in accordance with departmental standards. Supervisors must prioritize the department's mission in both word and action, and not engage in any conduct that undermines or interferes with its accomplishment.			X	X	Х
4.05	Supervisors are responsible for ensuring that those under their supervision are supported, guided in the professional execution of their duties, and encouraged to pursue ongoing professional development. Supervisors have a distinct obligation to uphold, promote, and enhance professional standards and integrity by providing constant advice and guidance. Supervisors have an obligation to recognize and commend exemplary behavior, address and correct substandard performance and apply disciplinary measures when necessary.		Х	X		
5.00	RESPECT					
	he sanctity of life in the highest regard. In all our interactions, we treat citizens and colleagues with dignity a ess, impartiality, and integrity.	nd resp	ect, and	we carry	out ou	r duties
5.01	Department members shall treat both the public and each other with courtesy and professionalism. Civility and patience are essential qualities that build trust, while the use of profane, disrespectful, or insolent language or behavior undermines public confidence and the reputation of the department.			X		
5.02	Members shall perform their duties with fairness, self-control, tolerance and impartiality.			Χ		

	Code of Conduct Violations			Category	/	
	Code of Colludet Violations	Α	В	С	D	E
	Members shall promptly comply with any proper or lawful order issued by an officer of higher rank. Should					
5.03	any member receive an order believed to be improper or unlawful order, it must be reported immediately			Х		
	to a supervisor of higher rank.					
	A conflicting order shall be brought to the attention of the member issuing the order. If this member does					
5.04	not amend the order, the order shall stand as given, and that member shall assume full responsibility for its		Х			
	execution.					
6.00	RESTRAINT					
We exercis	se only the minimum force and authority necessary to achieve legitimate law enforcement objectives. We d	lemonst	rate the	highest s	standard	s of self-
discipline -	– even when no one is watching or listening.					
	Members shall exercise restraint in the use of force, employing only the amount of force necessary to					
6.01	perform their duties and aligned with department policy. The use of unlawful or excessive force is strictly			Х	Х	Х
	prohibited.					
	Members shall not subject any individual to torture or to cruel, inhumane or degrading treatment or					
6.02	punishment. Under no circumstances – regardless of situation or justification –may torture or other forms				Χ	X
0.02	of cruel, inhumane or degrading treatment be permitted or excused.				^	^
	or cruci, illiminate or degrading treatment be permitted of excused.					

	Standard Operating Procedure Violations			Categor	/	
	Standard Operating Procedure Violations	Α	В	С	D	
	SOP 001 Fair and Impartial Policing		X			
SOP						
001.05	Failure to adhere to department policy					
	SOP 085 Citizen Contacts, Field Interviews, and Search and	l Seizure				
085.10 (D-E)	Contact protocol-Proper introduction/Closing a contact	X				
085.20	Field Interview protocol		X			
085.25	Improper search and/or frisk and/or failure to properly document		Χ			
085.30	Failure to adhere to department policy regarding vehicle contact protocol		Χ			
085.45	Failure to adhere to department policy regarding search incident to a lawful arrest			Х		
085.65	Failure to adhere to department policy regarding strip searches				Х	
	SOP 090 Prisoners and Booking					
090.05	Treatment of Prisoners					
	Verbal arguing/profanity			X		
	Inhumane/mistreatment/unnecessarily striking					
090.10(A-D)	Failure to apply physical restraints/take precautions in accordance with department policy			Х		
090.15 (A)	Failure to render medical aid			Х	Х	1
090.30(A)	Failure to conduct a search prior to a conveyance			Х		1
090.45(G)	Failure to adhere to department policy regarding cell block checks			Х	Х	
090.185(F)	Hospital guard duties					
	Failure to be fully equipped	X				
	Failure to remain alert, vigilent and professional			X		
	SOP 112 Sexual Assault					
112.10	Failure to adhere to sexual assault investigation procedure			Х		Π
	SOP 114 Domestic Violence					
114.05	Failure to adhere to department policy			Х		
114.10	Failure to make a mandatory arrest in accordance with WI SS			Х		
	SOP 250 Communications		•	•		
250.40(A)(2	Failure to notify dispatch regarding changes in status		Х			
250.40(A)(4)(a)	Failure to adhere to dispatched assignments protocol			Х		
	SOP 340 Uniforms and Equipment		•			
340.30	Appearance Standards	Х				
340.50(F)	Failure to safeguard Department Equipment			х		

	Standard Operating Presedure Violations			Category	У	
	Standard Operating Procedure Violations	Α	В	С	D	E
	SOP 450 Personnel Investigations					
450.10(B)	Refusal to accept a complaint; discouraging the filing of; filing false or misleading information					X
	SOP 460 Use of Force					
460.15	Force-Not objectively reasonable		T T	Х	Х	
460.20	Failure to utilze/apply de-escalation tactics and techniques			X	, , , , , , , , , , , , , , , , , , ,	
460.30	Duty to intervene			Α	Х	
460.45	Failure to render aid following a use of force				Х	
460.50(C)	Failure to notify immediate supervisor as soon as possible when a member uses force		Х		Α	
100.50(0)	SOP 520 Equal Employment Opportunity Policy		<u> </u>		<u> </u>	
520.10	Sexual Harassment	I	I	I		Х
520.15	Inappropriate Conduct			Х		
520.50	Sexual Misconduct					Χ
	SOP 560 Property				<u> </u>	
560.15(A)	Member's responsibilities-Failure to retain and safeguard property		Х			
	Member's responsibilities-Failure to properly inventory property coming into possession of the			.,		
560.15(B)	department			Х		
	SOP 610 Towing of Vehicles					
610.05	Failure to thoroughly search a vehicle prior to a tow					
	Failure to locate property	Χ				
	Failure to locate evidence		X	X		
	Failure to locate person/body			X	X	X
	SOP 640 Department Owned Vehicles and Property					
640.15(A)(2)	Failure to operate a department vehicle in a safe and courteous manner			Х		
	SOP 660 Vehicle Pursuits and Emergency Vehicle Operations					
660.05/660. <mark>40</mark> (A)(2)	Failure to exercise due regard during a pursuit/operating as an emergency vehicle			Х		
660.10(A)	Failure to utilize emergency lights and sirens during emergency operations			X		
660.20(C)	Failure to have required justification for a vehicle pursuit.			X		
660.20 (J)	Passenger Responsibilities-Intervention; failure to report			X		
660.20 (L)(2)	Field Supervisor Responsibilities			X		
	SOP 730 In-Camera Systems				ı	
730.15 (D)(1-3)	Failure to abide by in-camera operating procedure			Х		<u> </u>
	SOP 085 Social Networking Sites				ı	
685.15(A)(5)	Posting content disruptive to the mission of the department			Х	Х	
685.15(A)(6)	Representing as a member of the department on personal SNS's-discredit			Х		<u> </u>

	Ctandard Operating Presedure Violations			Categor	У	
	Standard Operating Procedure Violations	Category  A B C  X  X  X  X  X  X  X		D	E	
685.15(A)(7)	Posting false defamatory information about MPD, City of Milwaukee, employees and/pr public			Х		
685.15(A)(8)	Failure to treat the official business of the department as confidential-imparting it on a SNS		X			
685.15(A)(11)	Posting, transmitting, disseminating pictures, audio or video of official department activity without permission			X		
685.15 (12)	Posting MPD images/logos on a personal SNS in an offensive derogatory manner-discredit			X		
	SOP 747 Body Worn Cameras					
747.25(C)(2)	Failure to adhere to Use and Recording subsection			Х		
747.25 (D)	Failure to adhere to Exceptions to Recording subsection	Х				
747.25 (E)	Failure to adhere to Prohibited Recordings subsection				X	
	SOP 400 Off-Duty Employment					
400.15 (A)(4)	Off-duty and or extra duty-non eligible member		X			
400.15 (H)(I)	Off-duty employment that would create a conflict of interest; and or prohibited			X	X	Х
	SOP 770 Drug Testing					
770 (I)(C)	Refusal to submit to a drug test					Х
770 (III)(B)	Confirmed positive test for illegal drug use				X	Х
770.50 (2-3)	Discipline involving a civilian or police member who has a confirmed positive test or refused testing				Χ	Х