





POLICIES AND PROCEDURES MANUAL

	DISCIPLINARY PROCEDURES	
	POLICY NUMBER: 26-1	ISSUING AUTHORITY 
	EFFECTIVE DATE: June 12, 2025	Christine A. Elow Police Commissioner

I. GENERAL CONSIDERATIONS AND GUIDELINES

The term *discipline* is often defined as punitive action taken after an employee has committed a violation of policy, rule, or law. However, a broad view of discipline includes the positive meaning, as in *highly disciplined*. In this sense, discipline is associated with intentional and voluntary compliance with a set of policies, a code of ethics, and high standards of conduct. Taking both definitions together, the Cambridge Police Department's disciplinary system relies on the recognition and rewarding of positive performance, the use of counseling and training to correct performance deficiencies, and the provision for a system of punitive consequences for misconduct.

Just as the principles of procedural justice guide the police department in its external operations, so too do the same principles guide the police department in its internal administration of discipline. These principles include fairness, transparency, impartiality, and voice.

II. POLICY

It is the policy of the Cambridge Police Department to:

- A. administer discipline in a fair, transparent, and impartial manner consistent with the provisions of the applicable Collective Bargaining Agreements;
- B. provide opportunities for employees to correct deficient performance and behavior when appropriate;
- C. use positive reinforcement as a supervisory tool knowing that behavior that is recognized gets repeated;
- D. require supervisors to talk to employees regularly regarding performance, especially when there are deficiencies and when sanctions may be applied;
- E. ensure that sanctions are consistent with the seriousness of any offense and the employee's prior record; and
- F. conduct the disciplinary process so that it is used to train and develop by instruction.

III. DEFINITIONS

- A. *Competent Authority*: Any person authorized by law or policy to issue orders or directives.
- B. *Discipline*: Any one of several actions designed to produce a pattern of behavior including, but not limited to, oral or written warning, written reprimand, suspension, demotion, or discharge.

IV. PROCEDURES

- A. 26.1.1 (M) Code of Conduct
 - 1. The department Code of Conduct, which was formerly titled *Rules and Regulations*, is policy 26-2 and is made available to all staff in the Policies and Procedures Manual.
 - a. Employees will always adhere to the Laws of the Commonwealth, the department Code of Conduct, the procedural guidelines set forth in this Policies and Procedures manual, and all other department directives.
 - b. All sworn and non-sworn personnel, upon appointment to the police department, shall have access to and shall become familiar with the Policies and Procedures manual, including the Code of Conduct, and other directives issued by the Commissioner or other competent authority.
 - c. Failure to adhere to the policies and procedures of the police department and any other directives issued by a competent authority may result in disciplinary action.
 - d. Failure to abide by all Federal and State laws may result in termination and possible criminal prosecution.
- B. 26.1.2 (O) Employee Awards (See policy 26-3 Awards and Recognitions.)
- C. 26.1.3 (M) Harassment (See policy 26-4 Unlawful Harassment and Other Discrimination.)
- D. 26.1.4 (M) Disciplinary System and Corrective Action
 - 1. Remedial Training
 - a. Re-training is warranted when insufficient training, job knowledge, or experience is the cause of performance deficiency. Supervisors should make timely recommendations for such training and may document the employee's shortcomings, deficiencies, or lack of expertise.
 - b. In cases when an employee incorrectly follows procedures, violates policy, or displays inadequate performance, the supervisor may recommend or require training procedures that are either formal or informal, as appropriate, based upon the nature and severity of the identified problem.

2. Informal Training

- a. Informal training actions are an option for minor infractions or performance problems. Informal training may be conducted by any supervisor in the form of corrective guidance, direction, and explanation.
- b. Informal training may be documented and placed in the employee's personnel file. The decision to document such training is at the discretion of the supervisor. Copies of any materials placed in an officer's personnel file shall be provided as soon as possible to the officer.

3. Formal Training

- a. Formal training may be the result of mediation, counseling, or a departmental investigation; the effected employee may be required to attend training whether or not the employee is in agreement with the decision.
- b. The employee shall provide evidence of compliance by providing written documentation of satisfactory completion of the required training; the documentation will be entered into the employee's training record. Copies of any materials placed in an officer's personnel file shall be provided as soon as possible to the officer.

4. Counseling

- a. Counseling may be used to correct *Code of Conduct* violations or performance deficiencies. A supervisor may:
 - (1) in minor cases, conduct informal counseling without documentation; or
 - (2) in habitual or more serious cases, formally counsel the employee and document the circumstance(s) that prompted the counseling session and document future expectations.
 - (3) These formal counseling sessions should be documented and entered in Blue Team.

5. Disciplinary/Punitive action

- a. Punitive action may be used to correct *Code of Conduct* violations or performance deficiencies.
- b. First line supervisors will alert a lieutenant when there is a situation that requires evaluation and possible disciplinary action.
- c. The Police Commissioner will determine if punitive action is warranted, and if so, the nature and extent of such action.
- d. For all serious matters, decisions related to employment status will be made by the Police Commissioner and City Manager.

E. 26.1.5 (M) Role and Authority of Supervisors

1. Supervisors bear a distinct responsibility for the proper conduct, discipline, and duty performance of all personnel under their supervision. In addition, each supervisor is accountable for failure to take warranted disciplinary action for behaviors known or reasonably known to them.
2. A supervisor's familiarity with personnel allows the best opportunity to observe and foresee disciplinary problems and to determine the most appropriate methods to deal with them.
3. Supervisors should exercise discretion in any application of disciplinary action. For example, the use of counseling or oral reprimand by a supervisor may avert a potential disciplinary problem or prevent a minor problem from escalating.
4. First line supervisors in all units of the department are responsible for monitoring the conduct of the officers who report directly to them or fall under their supervisory responsibilities. This includes appearance and behavior, job performance, and adherence to policies and procedures and rules and regulations.
5. When a supervisor observes or becomes aware of an issue of concern, they should address the issue in proportion to its severity.
6. If the issue requires immediate action, the supervisor should make notifications through the appropriate chain of command.
7. Depending on the nature of the issue, it may be referred to the Professional Standards Unit for further investigation.
8. The following is an outline by rank and command level of the authority of superior officers to discipline their subordinates.
 - a. Sergeants have the authority to praise, counsel, evaluate, and recommend for commendation. They also have the authority to give verbal reprimands, relieve from duty, and recommend a formal written reprimand or more serious punitive disciplinary action, as appropriate.
 - b. Lieutenants have all the above, plus the authority to approve requests for written reprimands and recommend approval to the Deputy Superintendent.
 - c. Deputy Superintendents have all the above plus authority to issue formal written recognition of exemplary individual performance.
 - d. Superintendents have all the above authority plus authority to make recommendations directly to the Police Commissioner.
 - e. The Police Commissioner has all the above, plus any authority afforded in accordance with applicable laws and department policies. This includes, but is not limited to, issuing suspensions for up to five days to any member who is in violation of departmental policy, procedure, rule, or regulation. The Police Commissioner may make recommendations to the Appointing Authority for additional discipline beyond a five-day suspension.

9. Any recommendation for disciplinary action must be supported by relevant documentation. Final approval of any recommendation will rest with the Police Commissioner.
- F. 26.1.6 (M) Appeal Procedures
1. The appeal procedures are outlined in the two collective bargaining agreements, one for the Patrol Officers Association and one for the Superior Officers Association. Appeal procedures for professional staff are outlined in the City of Cambridge's Employee Manual. The department is obligated to abide by these agreements.
- G. 26.1.7 (M) Termination Procedures
1. If employee misconduct results in termination, the following information shall be provided to the employee:
 - a. a written statement citing the reason for termination;
 - b. the effective date of the termination; and
 - c. a statement of the status of accrued employee benefits after termination.
- H. 26.1.8 (M) Records
1. Digital and paper copies of disciplinary records shall be maintained in the Office of Planning, Budget, and Personnel and the Professional Standards Unit and are only accessible to authorized personnel.
 2. The length of time that each disciplinary record will be maintained and the circumstances under which it may be purged will comply with the respective collective bargaining agreement and all applicable laws.
- I. 26.2.1 (M) Complaint Investigation
1. All complaints against the department or its employees shall be investigated, to include anonymous complaints.
 2. Anonymous complaints can be difficult to investigate; however, the department will carefully review each complaint for validity before disregarding it for lack of a credible complainant.
- J. 26.2.2 (M) Records, Maintenance, and Security
1. The department shall maintain a record of all complaints against it or its employees and will protect the confidentiality and security of these records by maintaining them in a secure area.
 2. The schedule for retaining internal affairs records will be consistent with the provisions of applicable collective bargaining agreements and legal requirements.
- K. 26.2.3 (M) CEO, Direct Accessibility
1. The Director of the Professional Standards Section is responsible for the internal affairs function and has the authority to report directly to the Police Commissioner.
- L. 26.2.4 (M) Complaint/Commendation Registering Procedures

1. The procedures to register complaints against or commend the agency or its employees are made available to the public on the department's website.

M. 26.2.5 (M) Annual Statistical Summaries; Public Availability

1. Annual anonymized statistical summaries pertaining to complaints and internal affairs investigations may be made available to the public or department employees in response to an email or hardcopy request.

N. 26.3.1 (M) Complaint Types

1. Complaints to be investigated by a shift supervisor or officer-in-charge may include, but are not limited to:
 - a. Complaints received from the public regarding parking ticket violations;
 - b. rudeness;
 - c. other matters that do not rise to the level of a Professional Standards Unit investigation and can be easily resolved.
2. Complaints to be investigated by the Professional Standards Unit include, but are not limited to:
 - a. corruption; brutality; use of excessive force;
 - b. violation of civil rights; criminal misconduct;
 - c. other unprofessional conduct; and
 - d. any other matter as directed by the Police Commissioner.

O. 26.3.2 (M) CEO, Notification

1. Complaints involving corruption, use of force, bribery, and other high-liability complaints shall be brought to the attention of the Police Commissioner immediately.
2. Complaints concerning other matters may be brought to the attention of the Police Commissioner as soon as practicable or at the bi-weekly meeting between the Police Commissioner, the Director of Professional Standards, and Professional Standards staff members.

P. 26.3.3 (M) Investigation Time Limits

1. Any Internal Affairs investigation must be commenced immediately upon receipt of the complaint and must be completed within thirty (30) days.
2. If extenuating circumstances preclude completion within thirty (30) days, the Lieutenant of the Professional Standards Unit shall request an extension from the Commissioner and provide notification to the employee (if previously notified of the complaint and investigation) and complainant.

Q. 26.3.4 (M) Informing Complainant

1. Complainants shall be notified that the complaint was received. An e-mail notification to the complainant shall be the preferred method to indicate receipt of a complaint, but a certified letter showing receipt of the complaint may also suffice.
2. If the investigation is not completed within thirty days, the complainant shall be provided a progress report via telephone or e-mail every thirty days until the completion of the investigation.
3. The complainant shall be notified at the conclusion of the investigation. An e-mail notification to the complainant shall be the preferred method to deliver results of the investigation, but a certified letter containing the results of the investigation may also suffice.

R. 26.3.5 (M) Statement of Allegations/Rights

1. When an employee is notified that they have become the subject of a Professional Standards investigation, either by a P650 Request or Interview Request, a copy of the complaint will be provided. In instances where a complaint is filed, but there is no hard copy of the complaint, such as complaints filed by telephone or department-initiated complaints, a summary of the complaint and/or the allegations will be provided to the officer.
2. During the investigation, all employees retain their constitutionally protected rights under Article 12 of the Massachusetts Declaration of Rights and/or the Fifth Amendment to the United States Constitution. Additionally, CPPOA and CPSOA members retain all their rights which are collectively bargained for in their respective contracts.
3. All employees are required to answer all questions honestly and truthfully and to the best of their knowledge. Failure to do so will result in disciplinary action up to and including termination. The intentional making of false statements or reports and/or the intentional omission of significant pertinent facts is considered untruthful and will be treated as such. However, an employee shall not be subject to disciplinary action for invoking constitutionally protected rights under Article 12 of the Massachusetts Declaration of Rights and/or the Fifth Amendment to the United States Constitution. An employee who invokes the right to remain silent may still be subject to discipline, up to and including termination, for failing to cooperate with a department investigation.

S. 26.3.6 (M) Submission to Tests, Procedures

1. In conducting investigations of alleged employee misconduct, all appropriate investigative techniques and methods should be employed, consistent with legal requirements and all necessary concern for the individual rights of the accused employee.
 - a. An internal administrative investigation should be conducted with the same degree of professional competence as is devoted to a criminal investigation.
 - b. Upon orders of the Commissioner or designee and as specified in the CBA, an employee may be required to submit to a medical or laboratory examination, at the department's expense, which may include drug and/or alcohol testing and psychological examination.

Such examinations must be specifically directed and narrowly focused to a particular internal affairs investigation being conducted by the department.

2. Identification

- a. A police officer may also be required to be photographed and can be compelled to stand in a lineup for identification in connection with an internal affairs investigation; a refusal can be the basis for an additional disciplinary charge of refusal to obey a lawful order. Such a lineup should be constructed in accordance with the provisions as outlined in the policy on Eyewitness Identification.

3. Searches

- a. A police officer's personal property, including their home, car, and other property, is protected from unreasonable search and seizure under the Massachusetts Declaration of Rights and United States Constitution, and it is possible that any evidence illegally obtained may not be used as evidence in an administrative proceeding.
- b. Department property furnished to the officer, such as desks, lockers, vehicles, phones, and computers, in which it is clearly understood in advance that an officer has no expectation of privacy, may be searched without a warrant.

4. Financial Disclosure

- a. A police officer may be compelled to submit a financial disclosure statement as part of an internal affairs investigation provided such statement is narrowly focused and material to the investigation being conducted.

5. Audio/Video Recordings

- a. An employee may be required to cooperate with the creation of an audio/video exemplar.

6. Polygraph Tests

- a. Under the provisions of M.G.L. c. 149, § 19B, police officers may be required to submit to a polygraph or other lie detector test if such test is conducted by a law enforcement agency during a departmental investigation of criminal activity, and officers may face disciplinary action for refusal.

T. 26.3.7 (M) Relieved from Duty

1. All superior officers have the authority to relieve from duty a subordinate officer or employee who they deem unfit for duty. Examples of this type of infraction include, but are not limited to, drinking on duty, reporting to work while intoxicated or influenced by any other substance, refusal to obey a direct order, or criminal conduct. If any employee is so relieved, the Police Commissioner or designee shall be notified and advised of the circumstances surrounding such action prior to the employee's next tour of duty. If an employee is deemed unfit for duty, the superior officer will secure the member's firearm, magazines and ammunition, radio, PR 24, badge, OC spray, and two police identification cards.

U. 26.3.8 (M) Conclusion of Fact

1. For each case, the investigator will conduct an evaluation of the complaint and will assign a finding to each of the allegations and a definitive statement as to whether the charges made were:
 - a. substantiated: the complaint was valid and supported by sufficient evidence;
 - b. inconclusive: there was inadequate or insufficient evidence to either prove or disprove the complaint;
 - c. cleared: the allegations were baseless and without foundation or the complaint was unjustified or unwarranted as the actions of the accused department employee were in compliance with law or in accordance with department policy and procedure; or
 - d. closed without a finding: after examining all available information, there is no indication that any further investigation into the complaint will reveal any evidence or proof of violations of the department's rules, regulations, policies, or procedures. The investigative work done with these complaints will be kept in the Professional Standards Unit but the complaint will not be linked to the officer's Professional Standards history. The department reserves the right to reopen any investigation that was closed without a finding if new information becomes available.