

COLUMBUS POLICE DEPARTMENT



General Order 26: Disciplinary Procedures and Internal Affairs

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Policy:

Departmental policies are designed to cover the majority of situations, but not every situation. The rules contained in this General Order are not intended to be all inclusive of the required discipline, proper standards of conduct, or obligations of officers. The department may, when it deems appropriate, establish additional rules to govern officer conduct. The additional rules may take the form of general orders, special orders, standard operating procedures, or other formats both verbal and written. Officers do not have to necessarily agree with department's written directives and regulations, but they must follow them. Deviation from any written directive or regulation establishes cause for a supervisor to take corrective action. Each officer of this department is to act in good faith and is to use common sense in all areas of judgment in the field of law enforcement. Officers will be expected to constantly develop and maintain the highest ethical standards in both personal and official conduct. Listed herein is a list of basic rules and regulations that each officer of the department is expected to follow. Rules and regulations are more than guidelines; they offer little or no flexibility and pertain to all officers. It is the policy of this department that all rules and regulations are read, understood and obeyed by all officers, and are an extension of the City Personnel Policies. Officers will be disciplined for negative behavior as well as reinforced for positive behavior. Effective discipline is a positive process when its perceived purpose is to train or develop by instruction.

It shall be the policy and responsibility of the Columbus Police Department to investigate actions that may blemish the public trust in the department. In order to fulfill these responsibilities, administrative investigations are to be conducted according to the following procedures. However, the following procedures do not in any way prohibit supervisors from investigating other matters regarding the performance and conduct of subordinates.

Definitions:

When a word or term is not defined, the proper and fitting definition, as used within the context, or the generally accepted definition, as defined by the context, shall be used. When a male pronoun is used, the female pronoun is implied. When a singular word or term is used, the plural is implied unless otherwise specified. Unless a different term or definition for a term is provided in a specific formal written directive, these shall be the official department definitions for all department directives:

1. **Absence**
Failure to report for duty without proper and sufficient reason and without securing proper approval in advance.
2. **Acting**
Serving temporarily in a position to which the officer is not ordinarily assigned; usually in a position of higher rank.
3. **Administrative Leave**
A period during which an officer is excused from active duty for specific reasons, which may be paid or unpaid.

4. Assembly
A collection of persons.
5. Assigned Investigation
An investigation involving the department or an employee of the department that is assigned by the Chief of Police or his/her designee to a supervisor.
6. Bribe
Money or other tangible item, or a favor given or promised to a person in a position of trust, which may be perceived to influence his/her judgment or conduct.
7. Chain of Command
The unbroken line of authority (up and down) beginning with one's immediate supervisor and/or immediate subordinate.
8. Civilian
A general term to include employees of the department who do not have police powers and who have not taken the oath of an officer.
9. Code of Conduct
Policies governing the behavior of all officers of the department.
10. Commanding Officer
A generic term applied to officers who have supervisory responsibility.
11. Complaint
An act of expressed dissatisfaction that relates to department operations, personal conduct or unlawful acts.
12. Confidential
Not to be revealed except to authorized persons.
13. Counseling
The giving of recommendations, advice and/or providing guidance.
14. Cowardice
Lack of courage; being weak and/or fearful.
15. Day

Includes every day; in computing any period of time prescribed or allowed, the date of occurrence shall not be included. The last day of the period so computed is to be included unless it is a Saturday, Sunday, or legal holiday as recognized by the City of Columbus, in which case the last day of the period so computed would be the next day that is not a Saturday, Sunday, or legal holiday as recognized by the City of Columbus.

16. Demotion

Disciplinary action resulting in a reduction in an officer's rank or job title within the department's hierarchy.

17. Department

The Columbus Police Department.

18. Detail

An assigned specific task.

19. Directive

An order or instruction, either written or verbal.

20. Discharge

Disciplinary action resulting in termination of employment.

21. Discipline

Action taken by a superior officer to correct a specified or pattern of behavior, conduct and/or performance by a subordinate.

22. Disrespect

Any mutinous, insolent, and/or abusive language and/or act toward another officer indicating a lack of proper regard for the person and/or the person's rank.

23. Division

A unit of the department.

24. Employee

Any person employed by the department.

25. Equipment

All items issued to and/or used by officers.

26. Ethics

Moral duty and obligation.

27. Firearm

Any handgun, shotgun, machine gun, rifle, or other gun.

28. Formal Complaint
A complaint made by a citizen in writing on a form provided by the department that sets forth a statement of facts upon which the complaint is based and includes the name and address or telephone number of the complainant.
29. Formal Written Directive
General Orders, Special Orders and Standard Operating Procedures.
30. General Orders
Written orders containing a broad range of rules, policies and procedures for the effective execution of police services for the City of Columbus.
31. Gratuity
A sum of money tendered for a service performed or anticipated.
32. Immediate Supervisor
An officer's first line of authority up the chain of command.
33. Immediate family member
Spouse, child, stepchild, mother, stepmother, father, stepfather, brother, stepbrother, half-brother, sister, stepsister, or half-sister.
34. Immorality
An unethical act or practice; an act or practice generally held to be improper behavior.
35. Incompetence
Lacking the qualities, abilities, and/or knowledge needed for effective action.
36. Informal Complaint
A complaint made by a citizen verbally or in writing that sets forth a statement of facts upon which the complaint is based and includes as much information regarding the incident as possible, and where the complainant may or may not remain anonymous.
37. Insubordinate
Not submitting to authority; disobedient and/or disrespectful.
38. Insubordination
Disobedience of any order lawfully issued by any person higher than the officer in the chain of command.
39. Insurrection
An act or instance of revolting against civil authority or an established government.

40. Internal Complaint
A complaint made by an employee of the Columbus Police Department, verbally or in writing, that sets forth a statement of facts upon which the complaint is based and includes as much information regarding the incident as possible, and where the complainant may not be anonymous.
41. Internal Affairs Investigator
An officer who has received training in internal affairs investigations, and who is assigned to investigate internal affairs investigations by the Chief of Police or his/her designee.
42. Internal Affairs Investigation
An investigation involving the department or an employee of the department that is assigned by the Chief of Police or his/her designee to an internal affairs investigator, and is assigned an internal affairs investigation number.
43. Interview
A mandatory discussion with a non-probationary officer to determine facts surrounding a complaint or an internal investigation. IC 36-8-2.1-1 & 36-8-2.1-2
44. Investigation
A searching inquiry for ascertaining facts and detailed or careful examination of evidence.
45. Leave
A short excused absence from duty.
46. Leave of Absence
An extended period during which an officer is excused from active duty without pay.
47. Line of Duty
Any actions taken by an officer while acting in his/her official capacity for the City of Columbus.
48. May
The action is optional; can or possibly will.
49. Members
All employees of the Columbus Police Department.
50. Memorandum
Written correspondence exchanged internally within the department.
51. Military Leave

The period of time during which an officer is granted leave with or without pay when called to perform active military service.

52. Necessary Force

Any force used by an officer that is reasonable under all the circumstances.

53. Neglect

Failure to perform.

54. Nuisance

Annoying, unpleasant, or obnoxious.

55. Obey

To comply or conform.

56. Off Duty

Times when officers are not scheduled for normally assigned duties.

57. Officer

A duly sworn police officer of the department.

58. On Duty

An officer is on duty during the period when they are scheduled to be actively engaged in the performance of their duties. This begins at that time when an officer reports for a scheduled work period as designated by the department. This shall also include such times any officer is ordered to duty, and shall also pertain to those periods of time when any officer of the Columbus Police Department acts in an official capacity as a police officer, even while technically off duty, if that officer is enforcing a duly constituted law, or while performing those duties in the protection of life and property.

59. Order

Any instruction or directive, either verbal and/or written, issued by a commanding officer, or an officer who has been directed or authorized to give such instruction or directive by a commanding officer.

60. Overtime Assignment

When officers are assigned and/or scheduled, either voluntarily or involuntarily, to perform assigned duties by the department during their off duty period.

61. Plain Clothes Duty

An assignment to duty in clothing other than the uniforms approved by the department.

62. Police Action

Activity expected or required of an officer by law, written directive or order.

63. Policies and Procedures

A series of administrative instructions and operational practices that govern the operation of the Columbus Police Department.

64. Rank

Each class of officers of the department is a rank.

65. Reassignment

To assign to a new position or function, or otherwise remove from a position or function, which may or may not be used in conjunction with a disciplinary action, but that does not result in a reduction in the officer's rank within the department's hierarchy.

66. Regulation

Order, policy, standard operating procedure and/or rule of the department.

67. Report

Any written or verbal communication made that relays information or recounts certain events.

68. Resignation

The act taken by an officer in voluntarily terminating his or her position, status or employment with the Columbus Police Department.

69. Retirement

Termination of the active service of an officer by reason of attaining statutory creditable service or age, or because of an incapacitating disability.

70. Rule

All categories regulating conduct.

71. Shall

The action is necessary; must perform or comply.

72. Should

The action is strongly recommended; ought to.

73. Special Orders

Written orders containing a narrow or specific range of rules, policies and procedures for the execution of police services for the City of Columbus.

74. Standard Operating Procedure

Written orders containing information that is narrowly tailored to a specific assignment or activity, or they establish needed procedures not otherwise encompassed by General or Special Orders.

- 75. Supervisor
An officer's authority up the chain of command.
- 76. Suspension
Disciplinary action resulting in involuntary time off and may include the loss of police powers and pay.
- 77. Termination
Discharge.
- 78. Tour
The period of the day during which an officer is on duty.
- 79. Verbal Reprimand
Disciplinary action whereby a supervisor expresses criticism and/or disapproval.
- 80. Violation
Action or inaction that is contrary to a written directive or order.
- 81. Weapon
Any instrument used by an officer to protect life or property, to control a crowd or individual, or to affect a lawful arrest.
- 82. Will
The action is necessary; must perform or comply.
- 83. Written Reprimand
Disciplinary action whereby a supervisor presents written documentation of his/her criticism and/or disapproval.

26.1 Disciplinary Procedures

26.1.1 Code of Conduct

A. Code of Conduct

1. Officers shall affirmatively promote a positive public image; all officers of the department are to conduct themselves in the highest tradition at all times both on and off duty, and in such a manner as to reflect most favorably on the department; they shall do nothing to cause embarrassment or disgrace to the department or city.

- a. Abuse of Law Enforcement Powers or Position - Officers shall not use their authority or position for financial gain, for obtaining or granting privileges or favors to include, gratuities, gifts, discounts, rewards, loans, or fees, or to avoid the consequences of illegal acts for themselves or for others.
- b. Bond - Officers shall not provide bond or furnish bail for any person arrested, unless the person arrested is an immediate family member of the officer.
- c. Bribe - No officer may accept, agree to accept, or solicit a bribe.
- d. Code & Cannon of Ethics – Officers shall at all times, both on and off duty, act in accordance with the department’s code and cannon of ethics as provided in General Order 1.1.2.
- e. Conduct Toward the Public - Officers shall conduct themselves toward the public in a civil and professional manner that connotes a service orientation and that will foster public respect and cooperation. Officers shall maintain control of his/her temper, and not use unnecessary violence toward any person.
- f. Conduct Unbecoming - Officers shall not engage in any conduct or activities on-duty or off-duty that reflect discredit on the officer, tend to bring this agency into disrepute, or impair its efficient and effective operation.
- g. Confidentiality – Officers will treat as confidential the official business of the department. They will not impart it to any except those for whom it is intended or as directed by their supervisor or under due process of law.
- h. Gambling - Officers are prohibited from participating in gambling activities while on duty, except when the Chief of Police authorizes such activity in the performance of a special police assignment. However, gambling can never be conducted while in uniform.
- i. Internet and Department Issued Equipment - All use of department issued equipment and access to the internet with a department computer, cell phone or other electronic device shall be done in a professional manner, and in compliance with all applicable laws and all city policies.
 - i. Officers shall not access a private wireless computer network unless compliant with I.C. 35-43-2-3.

- ii. Neither the internet or any department issued equipment shall be used for any illegal, improper, unprofessional or illicit purposes, which includes intentionally viewing pornography. This regulation does not apply to the legitimate investigation of a reported crime with the full knowledge and approval of a supervisor.
- j. Intervention - Officers shall not interfere with cases being handled by other officers of the department or by any other governmental agency unless ordered to intervene by a superior officer, or the intervening officer believes beyond a reasonable doubt that a manifest injustice would result from failure to take immediate action.
- k. Meals - Officers shall be permitted to suspend patrol or other assigned activity for the purpose of having a meal, that should not exceed 30 minutes, during their tour of duty, subject to calls and compliance with General Order 26.1.1(A)(8)(a) at all times.
- l. Mission Statement – Officers shall act in accordance with the department’s mission statement and values; see General Order 12.2.1(A).
- m. Oath of Office – Officers shall act in accordance with the oath of office they took when becoming a sworn officer.
- n. Observance of Laws - Officers shall observe and obey all criminal laws, civil laws and ordinances.
 - i. Officers who are arrested, cited, or come under investigation for any criminal offense in this or another jurisdiction shall report this fact to a superior as soon as possible.
 - ii. An officer who pleads guilty to or is convicted of a felony will be terminated from the Columbus Police Department.
- o. Official Action - Officers shall not undertake any investigation or other official action not part of their regular duties without obtaining permission from a superior officer unless the urgency of the situation requires immediate police action.

- p. Personal Police Action - Officers shall not use their police powers to resolve personal grievances except under circumstances that would justify the use of self-defense or actions to prevent injury to another person. In all other cases, officers shall summon on-duty police personnel and a supervisor in cases where there is personal involvement that would reasonably require law enforcement intervention.

- q. Political Activity – Except when on duty or acting in an official capacity and except where otherwise provided by state or federal law, an officer may not be discouraged from engaging in political activity, or denied the right to choose to refrain from engaging in political activity, provided such activities do not impede or impair the efficient operation of the police department. IC 36-8-2.1-8. Officers shall be guided by the following examples of prohibited political activities during working hours, while in uniform, or otherwise representing himself or herself as a representative of this agency:
 - i. Engagement or participation in any political activity;
 - ii. Place or affix any campaign literature on city/county-owned property;
 - iii. Solicit political funds from any officer of this agency or another governmental agency of this jurisdiction;
 - iv. Solicit contributions, signatures, or other forms of support for political candidates, parties, or ballot measures on property owned by this jurisdiction;
 - v. Use official authority to interfere with any election or interfere with the political actions of other officers or the general public;
or
 - vi. Favor or discriminate against any person seeking employment because of political opinions or affiliations.

- r. Prohibited Associations and Establishments:
 - i. Arresting, investigating, or custodial officers shall not commence social relations with an immediate family member, or romantic companion of persons in the custody of this agency.

- ii. Officers shall not knowingly commence or maintain a relationship with any person who is under criminal investigation, indictment, arrest, or incarceration by this or another police or criminal justice agency, and/or who has an open and notorious criminal reputation in the community (for example, persons whom they know, should know, or have reason to believe are involved in felonious activity), except as necessary to the performance of official duties, or where unavoidable because of familial relationships.
 - iii. Except in the performance of official duties, officers shall not knowingly enter any establishment in which the law of that jurisdiction is regularly violated.
 - iv. Officers shall not knowingly join or participate in any organization that advocates, incites, or supports criminal acts or criminal conspiracies.
 - s. Reduction or Dismissal of Cases - Officers shall not recommend that any criminal or traffic offenses be reduced or dismissed unless it is in cooperation with the prosecutor, court, or investigative body in the interest of justice.
 - t. Sexual Conduct - Officers are prohibited from engaging in any sexual conduct while on duty, nor shall they engage in same when off duty while in uniform.
 - u. Sleeping on Duty - Officers are prohibited from sleeping on duty or from being found in a position that would lead a reasonable person to assume they were asleep.
 - v. Tobacco – Officers may use tobacco unless they are engaged with a member of the public, they have to leave their assignment or post for the sole purpose of doing so, or they are engaged in traffic direction and control. Additionally, officers may not smoke in city owned vehicles, or in any other manner that is prohibited by law or ordinance.
2. Officers shall achieve and maintain competent performance.
- a. Unsatisfactory Performance of Duties – Officers may demonstrate unsatisfactory performance by:
 - i. A lack of knowledge of the application of laws required to be enforced;
 - ii. An unwillingness or inability to perform assigned tasks;

- iii. The failure to conform to work standards or job description(s) established for the officer's rank, grade, or position, or otherwise fail to assume the responsibilities of their positions.
 - iv. The failure to take appropriate action on a crime, disorder, or other condition deserving police attention;
 - v. The failure to have the physical capacity and/or mental readiness to perform or fulfill the normal demands of their duties or assignments;
 - vi. Failure to perform duties in a manner that maintains the highest standards of efficiency in, or is otherwise detrimental to, carrying out the functions and objectives of the department;
 - vii. Repeated poor performance evaluations;
 - viii. A written record of repeated infractions of written directives of the department and/or city; or
 - ix. Failure to have a valid Indiana driver's license.
- b. Officers shall know, observe and obey all orders, policies, rules and regulations, and other written directives of the department and city.
- i. Any officer who, by any act or conduct, attempts to violate or conspires with any person to violate an order, policy, rule and regulation or other written directive of the department and/or city shall be subject to the same discipline as though the actual violation has been accomplished.
 - ii. Any officer shall take corrective action, through the chain of command, when a violation of a department directive comes to their attention, regardless of the offender's assignment or rank.
- c. All officers shall report for duty on or before the scheduled time and shall not be absent without leave.
- i. Unauthorized absence over three (3) consecutive days may be deemed cause for dismissal or constitute resignation.
 - ii. Unless extenuating circumstances exist, officers who are sick, injured or otherwise unable to report to duty shall inform their supervisor at least 30 minutes before the beginning of their duty assignment.

iii. Officers shall be punctual for court, details and overtime assignments.

3. Officer availability and information:

- a. All officers are subject to 24-hour duty and may be called into work at any time. Examples of activating off duty personnel would be major crimes, civil disturbances, shift manpower shortages, or any instance deemed necessary by the on duty supervisor.
- b. Officers of the Columbus Police Department who receive a subpoena to appear in a judicial proceeding shall appear at the proceeding, unless disregarded by those involved in the proceeding.
- c. Officers shall report all changes of address and telephone numbers to the Chief of Police or his/her designee immediately.
- d. All officers shall have a telephone, although a landline is not required.
- e. All officers shall maintain with the department the capability of receiving a page or text notification.

4. Officers shall cooperate with department members and other officials.

a. Respect to Superiors and Subordinates and Insubordination:

- i. Officers shall treat superior officers, subordinates, and associates with respect. They shall be courteous and civil at all times in their relationship with one another, and foster cooperation among officers.
- ii. Unless otherwise provided by order, policy, rule, regulation or other written directive, officers shall follow their chain of command in accordance with General Order 12.1.2(D).
- iii. When on duty in the presence of other officers or the public, ranking officers should be referred to by rank unless authorized by the ranking officer to refer to them in some other manner.
- iv. Officers shall answer any questions asked by a supervisor that relate to the performance of their official duties, scope of employment or fitness for duty.

- b. All officers of the department shall be required to obey any lawful order issued by a superior, including any lawful order relayed from a superior by an officer of the same or lesser rank, as outlined in General Order 12.1.3.

5. Regulations regarding intoxicating beverages, drugs and other intoxicants:

- a. Officers shall not consume intoxicating beverages while on duty, or be intoxicated while on duty, except in the performance of a special assignment.
- b. No officer, while in approved uniform dress attire or any part thereof, shall purchase, be under the influence of, or drink intoxicating beverages while on or off duty.
- c. Officers shall not report for predetermined on duty assignments, or operate a city vehicle, after consuming intoxicating beverages when the consumed intoxicating beverages are still present in any measurable quantity in the officer's bloodstream, except in the performance of a special assignment or otherwise authorized to do so by a supervisor.
- d. Officers shall not bring or keep any intoxicating beverages on the department premises except for the purpose of training, for purposes of an investigation, or in the performance of a special assignment.
- e. No officer shall use any illegal drugs of any kind.
- f. No officer shall use a controlled substance without a proper prescription.
- g. No officer shall consume a prescribed controlled substance in a manner not prescribed.
- h. No officer shall operate a city vehicle after using prescribed controlled substances that effect dexterity, except when authorized to do so by a supervisor.
- i. An officer shall not possess any type of illegal drug or controlled substance not prescribed, except to process as evidence, use for training, or use for educational programs.
- j. Officers shall comply with a supervisors request to submit to any type of test for intoxication, or alcohol, drug or controlled substance usage.
- k. Officers shall comply with the department's drug testing directive.

6. Dishonesty or untruthfulness will not be tolerated, and should be grounds for discharge.
 - a. Officers shall not submit any report, supplement or statement, verbal or written, that is false, deceptive or otherwise misleading.
 - b. Officers shall not be involved in any type of theft or other crime of deception.
 - c. Upon the order of a superior officer, officers shall truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the department, which may be asked of them.
 - d. Officers shall accept responsibility for their actions without attempting to conceal, divert, minimize or mitigate their true culpability.
7. Public Statements, Social Media, Appearances and Endorsements:
 - a. Unless expressly authorized by the Chief of Police or his/her designee, officers shall not, under color of authority:
 - i. Make any public statement that could be reasonably interpreted as having an adverse effect upon department morale, discipline, operation of the agency, or perception of the public;
 - ii. Divulge or willfully permit to have divulged, any information gained by reason of their position, for anything other than its official, authorized purpose; or
 - iii. Make any postings, statements, speeches, or appearances that could reasonably be considered to represent the views or positions of, or provide other information from, this agency.
 - iv. Display a department badge, logo, equipment, or any other item issued by, or otherwise representing, the department.
 - b. Officers may not, under color of authority, endorse, recommend, or facilitate the sale of commercial products or services. This includes but is not limited to the use of tow services, repair firms, attorneys, bail bondsmen, or other technical or professional services. It does not pertain to the endorsement of appropriate governmental services where there is a duty to make such endorsements.
8. Officer response

- a. Officers shall respond without delay to all calls for police assistance from citizens or other members of the department. Emergency calls take precedence.
 - b. Officers should assist any other law enforcement agency requesting assistance whenever and however possible; however, if the assistance needed requires the officer to exit the city limits, preapproval from a supervisor is required if reasonably practical.
 - c. When any person requests assistance or advice, or makes complaints or reports, either by telephone or in person, all pertinent information will be obtained in an official and courteous manner and will be properly and judiciously acted upon consistent with established departmental procedures.
- B. Appearance – This order shall define and establish the standard of grooming and dress for officers of the department. It is required that all officers of the department maintain a neat well-groomed appearance while conducting official business and/or while representing the Columbus Police Department. The Chief of Police or his/her designee shall have the final say in any determination regarding acceptable appearance. Exceptions to these appearance rules and regulations may be made by the Chief of Police for officers on special assignments including those assigned to the Narcotics Division.

1. Grooming

- a. Hair

- i. Hair shall be of a single color, that is natural or appears natural, with no words, patterns or symbols shaved in;
- ii. Hair shall be groomed and clean, neatly shaped and arranged;
- iii. Hair in back for male officers may touch, but shall not extend over the shirt collar;
- iv. Hair in back for female officers may extend over the shirt collar if inconspicuously bound into a single ponytail, bun, or similar method. However, the bound requirement is only applicable when females are in uniform;
- v. The length and/or bulk of the hair shall not be excessive or present a ragged or unkempt appearance;

- vi. Hair in front shall be maintain so that it does not fall below the eyebrows;
- vii. Wigs or hairpieces are permissible, however, the wig or hairpiece shall conform to these haircut and grooming guidelines; and
- viii. The Chief of Police or his/her designee will ultimately determine the acceptability of an officer's hairstyle.

b. Sideburns

- i. Shall be neatly trimmed with a horizontal line base;
- ii. Shall not extend below the bottom of the earlobe; and
- iii. Shall be even width.

c. Facial Hair

- i. Officers may grow facial hair. All facial hair shall be kept neatly trimmed to a uniform length, but no longer than ½ inch.
- ii. Moustaches must be neatly trimmed, but shall not extend over the top of the upper lip, or below the corners of the mouth; and
- iii. Goatees and beards must be neatly and evenly trimmed, and shall not be bulky.

2. Cosmetics

- a. Cosmetics that harmonize with and enhance the natural coloring of the skin may be worn; and
- b. Makeup may be worn in a light and natural manner and shall not look artificial.

3. Jewelry

- a. No beads, necklaces, earrings, gauges or other body rings, chains or posts shall be worn exposed while on duty, except:
 - i. Sworn female officers may wear earrings in their earlobes that present a professional appearance; they may not wear dangling or hanging type earrings, and may not wear more than two (2) earrings per ear.

- b. In addition to the authorized earring jewelry above, the following jewelry may be worn exposed while on duty:
 - i. Two (2) rings per hand (a wedding set is considered one ring);
 - ii. One (1) wrist watch; and
 - iii. One (1) wrist bracelet per wrist.

4. Tattoos & Brands

- a. Officers are prohibited from displaying any permanent or temporary tattoo or brand on his/her head, face, neck or hands while on duty or in uniform, and any such tattoo or brand shall be covered from view.
- b. Officers are prohibited from displaying any tattoo that is sexually suggestive, vulgar, contains profane language or could otherwise be construed as offensive. The Chief of Police or his/her designee shall have the final say in the determination of whether or not a tattoo is offensive. If the tattoo is deemed offensive, concealment from public view while on-duty shall be mandatory.
- c. The covering of any tattoo or brand shall be done in compliance with all approved appearance requirements as contained in this General Order.

5. Dress attire

- a. Uniform requirements
 - i. Each officer of the Columbus Police Department will be required, regardless of duty assignment, to have a serviceable class A and class B uniform at all times.
 - ii. Uniforms shall be kept neat, clean, in good repair, and well maintained and free of tears and holes.
 - iii. Normally, officers shall wear an authorized uniform class on a tour of duty. However, commanding officers may prescribe other clothing to be worn as required by the nature of the duty to which a particular officer is assigned.

- iv. No officer while in uniform shall wear on the uniform any object, badge, button, or insignia not specifically authorized by the Chief of Police, unless it is temporarily worn to protect equipment or the officer's wellbeing.
 - v. Officers who are assigned to wear their uniform while on duty are required to be in complete uniform. No mixture of civilian clothes with the uniform will be permitted.
 - vi. Officer's badges, names, insignias, tie bars, shirt buttons, belt buckle, hat braid and other uniform attire shall be silver if the officer has no rank or gold if the officer has rank.
 - vii. When an officer is in uniform, they shall be armed with a firearm that was issued to them by the department.
- b. Uniform Classes – All uniforms colors and styles shall be preapproved by the department so that there is a consistent appearance among all officers.
- i. Class A – shall consist of:
 - a. Shirts shall be long sleeve and dark blue in color with Columbus Police Department shoulder patches on the shoulder portion of both sleeves.
 - b. A metal Columbus Police Department badge will be worn on the shirt centered above the left pocket.
 - c. A metal nameplate will be worn on the shirt centered above the right pocket. The nameplate will signify the officer's first initial and last name, and will be in blue lettering.
 - d. Metal "C.P.D." or rank insignias will be worn on the shirt collars approximately $\frac{3}{4}$ of an inch from the front edge of the collar and centered from top to bottom. Rank insignias will be the following:
 - i. Chief - Gold Eagle;
 - ii. Deputy Chief - Gold Oak Leaf;
 - iii. Captain - Twin Gold Bar;
 - iv. Lieutenant - Gold Bar; and

v. Sergeant - Gold Chevron.

- e. Long dark blue or black ties with a plain metal tie bar.
- f. Metal shirt buttons shall be worn on the shirt, and shall have the State of Indiana Seal.
- g. Pants will be dark blue in color with French blue stripes on the outseams running from the waistband to the bottom of the pant legs.
- h. A duty belt as prescribed.
- i. A dark blue or black campaign hat with a hat badge, braid and a black leather head strap. If necessary, a rain cover for the campaign hat may be worn if the cover is clear, uncolored plastic.
- j. Prescribed footwear.

ii. Class B

- a. Shirts or outer-vest carriers with an under shirt shall be short or long sleeve and dark blue in color with Columbus Police Department shoulder patches on the shoulder portion of both sleeves and worn open at the collar.
- b. A Columbus Police Department patch badge will be worn on the shirt centered above the left pocket.
- c. The officer's name will be sewn on the shirt and centered above the right pocket. The name will signify the officer's first initial and last name.
- d. "C.P.D." or rank insignias will be sewn on the shirt collars approximately $\frac{3}{4}$ of an inch from the front edge of the collar and centered from top to bottom. Rank insignias will be the same as prescribed by the Class A uniform.
- e. Pants will be dark blue cargo style pants.
- f. A duty belt as prescribed.

- g. Prescribed footwear.
 - h. An authorized department baseball style cap may be worn by the officer with the bill completely facing forward.
- iii. Class C - shall be a special duty use uniform.
- a. Shirts shall be short sleeve polo-style and dark blue in color with Columbus Police Department shoulder patches on the shoulder portion of both sleeves.
 - b. A Columbus Police Department patch badge will be worn on the shirt centered in the left breast area.
 - c. The officer's name will be sewn on the shirt and centered above the right breast area. The name will signify the officer's first initial and last name.
 - d. Pants or shorts will be dark blue.
 - e. A duty belt as prescribed.
 - f. Prescribed footwear.
 - g. An authorized department baseball style cap may be worn by the officer with the bill completely facing forward..
- c. Prescribed Uniform Wear
- i. Allowed extreme cold weather headgear will be a black or dark blue toboggan type hat with no other noticeable markings or insignias.
 - ii. An on-duty supervisor may temporarily permit unauthorized uniform wear for inclement weather.
 - iii. Officers may wear a black or dark blue turtleneck or mock turtleneck under the Class B long sleeve uniform shirt.
 - iv. While wearing a Class B uniform with an open collar, officers shall wear a black or dark blue t-shirt under their uniform shirt.
 - v. Raincoats may be worn in inclement weather.

vi. Duty belt:

- a. The duty belt and duty belt accessories shall all be black with basket weave finish, except the Electronic Control Device (ECD) holster and magazine pouch may be black plastic or leather with plain or basket weave finish.
- b. Articles worn on the duty gun belt shall include handcuff(s) and handcuff case(s), an approved handgun and security type holster, at least two spare magazines and a magazine pouch that holds two or three magazines, a black, silver or gold belt buckle, an ECD and holster, a radio and holder, an expandable baton and holder, OC spray and holder, and belt keepers. A key holder, a glove case, tourniquet and a flashlight and holder are optional articles.

vii. Footwear

- a. Black boots that are able to take a shine. Boots will be maintained in a shined condition. Clarino finish is optional.
- b. Socks will be black or dark blue.

viii. Jackets

- a. Jackets will be dark blue or black in color and may be heavy winter-style or nylon windbreaker style. A dark blue military type sweater may be worn.
 - b. All jackets or approved sweaters shall have Columbus Police Department shoulder patches on the shoulder portion of both sleeves.
- d. Professional attire – all officers shall adhere to the following dress code when appearing in any court proceeding or similar type proceeding.
- i. Males - a Class A or B uniform, a suit, dress pants or khaki pants and a dress or polo type shirt.

- ii. Females - a Class A or B uniform, a suit, an appropriate dress, dress pants or khaki pants and a blouse, or dress or polo type shirt.

26.1.3 Harassment

- A. Title VII of the Civil Rights Act of 1964 and sound management practices dictate that harassment in the context of employment be prohibited and that swift, decisive steps be taken in response to complaints.
- B. Each individual has the right to work in a professional atmosphere, which promotes equal opportunities and prohibits discriminatory practices, including sexual harassment, and harassment based on race, religion, color, national origin, age, genetic information or disability. Unlawful harassment, whether verbal, physical or environmental, is unacceptable and will not be tolerated within the Columbus Police Department, nor will the department tolerate, condone or allow unlawful harassment, whether engaged in by fellow officers, supervisors, or other non-officers who conduct business with the department. The department encourages reporting of all incidents of harassment, regardless of who the offender may be.
- C. Sexual harassment is defined as unwelcome or unwanted conduct of a sexual nature, verbal or physical, when:
 - 1. Submission to or rejection of this conduct by an individual is used as a factor in decisions affecting hiring, evaluation, promotion or other aspects of employment;
 - 2. This conduct substantially interferes with an individual's employment or creates an intimidating, hostile or offensive work environment; or
 - 3. This conduct involves an officer using their authority to intimidate a civilian.
- D. All forms of harassing behavior are unacceptable in the work place itself and in other work-related settings such as business trips and business-related social events, as well as while on or off-duty when in the general public.
- E. Reporting - While the department encourages individuals who believe they are being harassed to firmly and promptly notify the offender that his/her behavior is unwelcome, the department also recognizes that power and status disparities between an alleged harasser and a target may make such a confrontation impossible. In the event that such informal, direct communication between individuals is either ineffective or impossible, the following steps should be followed in reporting harassment complaints:

1. Notification of appropriate staff - Individuals who believe they have been subjected to harassment may report the incident and/or alleged harasser to any departmental supervisor. In addition, supervisors who witness or otherwise become aware of alleged harassment shall report the incident and/or alleged harasser, even if the person subjected to the alleged harassment wishes for there to be no investigation. All complaints and/or reports should be made in good faith.
 - a. Upon receipt of such complaint, the supervisor shall immediately notify the Chief of Police through the chain of command, who shall have authority over the investigation and resolution of the complaint, and will proceed in accordance with this General Order. Supervisors shall have no independent authority to investigate or resolve such complaints, and may only proceed with the approval of the Chief of Police.
 - b. If the alleged harasser holds an administrative position, the complainant shall have the option, and authorization, to take the complaint to the Human Resources Manager for the City of Columbus, who shall have authority over the investigation and resolution of the complaint. The Human Resources Manager shall report the results of the investigation and any disciplinary recommendations to the Chief of Police, or in the event that the Chief of Police is named in the complaint, report the findings and recommendations in writing to the Board of Public Works and Safety.
2. Description of misconduct - An accurate record of objectionable behavior or misconduct is needed to resolve a formal complaint of harassment. Verbal reports of harassment should be reduced to writing by the individual designated to receive the complaint. Individuals who believe they have been or currently are being harassed should maintain a record of objectionable conduct to effectively prepare and corroborate their allegations.
3. Period for reporting complaint - The department encourages a prompt reporting of complaints so that rapid response and appropriate action may be taken. However, due to the sensitivity of these problems and because of the emotional toll such misconduct may have on the individual, no limited period will be instituted for reporting harassment complaints. Late reporting of complaints will not in and of itself preclude the department from taking remedial actions, but may affect the availability of evidence and the ability to corroborate the allegations.

4. Protection against retaliation - The department will not in any way retaliate against an individual who makes a report of harassment nor permit any supervisor, officer or member to do so. Retaliation is a serious violation of this harassment policy and should be reported immediately. Any person found to have retaliated against another individual for the good faith reporting of harassment will be subject to the same disciplinary action provided for harassment offenders.

F. Investigating complaints:

1. Confidentiality - Any allegation of harassment that is formally reported will be promptly investigated in as discrete a manner as possible so as to protect the privacy of persons involved. The department will use its best efforts to maintain confidentiality throughout the investigating process to the extent practical and appropriate under the circumstances. The alleged harasser must be notified on the nature of the complaint made against them and by whom.
2. Identification of investigators - Complaints will be investigated by the Chief of Police or his/her designee, or in accordance with General Order 26.1.3(E)(1)(b). In addition, other individuals may be included in reviewing the investigation and outcome at the discretion of the person who has authority over the investigation and resolution of the complaint as outlined in General Order 26.1.3(E)(1).
3. Investigation process - In pursuing the investigation, the investigator will take the wishes of the complainant under consideration, but must thoroughly investigate the matter as he/she sees fit, in keeping the complainant informed as to the status of the investigation. Steps to be taken in the investigation should include:
 - a. Confirm name and position of the complainant;
 - b. Identify the alleged harasser;
 - c. When first interviewing the complainant, remind them of the department's policy against retaliation for making a complaint of harassment, and inform them of their right to file a complaint with either the Indiana Civil Rights Commission and the Equal Employment Opportunity Commission;
 - d. Thoroughly ascertain all facts;
 - e. Determine frequency and type of alleged harassment and, if possible, the dates and locations where alleged harassment occurred;
 - f. Identify all witnesses who observed the alleged harassment;

- g. Ask the complainant how they responded to the alleged harassment;
- h. Determine whether anyone else has knowledge about the alleged harassment and take note of who else knows and his/her response to the disclosure.
- i. Develop a thorough understanding of the professional relationship, and the degree of controlled amount of interaction between the alleged harasser and complainant.
 - i. Is the person the complainant's superior?
 - ii. Does the person control compensation, or promotion recommendations?
 - iii. Do these individuals work in close proximity to one another and/or on the same shift?
 - iv. Will the officer be required to have frequent contact with the complainant as part of the officer's duties?
- j. Determine whether the alleged harasser has carried out any threats or promises directed at the complainant.
- k. Determine whether the complainant knows of or suspects that there are other individuals who have been harassed by the alleged harasser.
- l. Determine whether the complainant informed other department officials or supervisors of the situation, and the response the complainant receive from these individuals, if any.
- m. Ask the complainant what action they would like the department to take as a consequence of the harassment.
- n. Notify the alleged harasser of the investigation, the nature of the complaint made, who made the complaint, and permit the alleged harasser to respond to the allegations.
- o. Conduct additional interviews of witnesses, and any necessary further investigation with due regard for discretion and minimizing disruption of the work environment.

G. Resolving complaints:

1. Upon completing the investigation of a harassment complaint, the department will communicate its findings and intended actions to the complainant and the alleged harasser.
 2. The department's findings do not in any way affect the complainant's right to pursue a harassment complaint with any appropriate state or federal authority.
 3. If it is determined that harassment occurred, the person who has authority over the investigation and resolution of the complaint as outlined in General Order 26.1.3(E)(1) shall determine or recommend to the proper authority the appropriate sanction, as listed in General Order 26.1.3(E). The complainant will be informed of the disciplinary action to be taken or recommended.
- H. Sanctions - Individuals found to have engaged in misconduct constituting harassment will be disciplined, up to and including discharge.
1. Appropriate disciplinary actions will be determined or recommended by the person who has authority over the investigation and resolution of the complaint as outlined in General Order 26.1.3(E)(1). The minimum disciplinary action will be a written reprimand, which shall be included in the harasser's personnel file.
 2. Although the department's ability to discipline a non-officer harasser is limited, any department member who has been subjected to harassment by a non-officer should file a complaint so that action may be taken.
- I. Maintaining a written record of the complaint - The department will maintain a complete written record of each complaint and how it was investigated and resolved. Records shall be maintained in the office of the Chief of Police, and if disciplinary action is taken, a record shall be maintained in the offender's personnel file.

26.1.4 Disciplinary System

Deviation from a department directive establishes cause for a supervisor to take corrective action, unless the officer is capable of providing clear and convincing evidence that such deviation was justified in terms of increased organizational effectiveness, efficiency or safety. Decisions of this nature can only be made on a case-by-case basis. When officers of the department deviate from a directive, or there is a need to determine whether officers of the department deviated from a directive, they can expect that the decisions made will be arrived at through a fact-finding or administrative investigation; they may be directed to place their version of the events and/or justification for the deviation in writing. These documents become a part of the fact-finding efforts. All officers shall be entitled to know all the facts surrounding a disciplinary decision and will be given an opportunity to present a defense.

The following components of the disciplinary system identify the methods to be applied to officer conduct and/or performance in the interest of discipline. Steps can regress as well as be skipped depending on the degree of severity of the offense, the record of the offender, the ability of the officer to correct their conduct and/or performance, and the seriousness of the consequences of the violation. Supervisors are under no obligation to use training or counseling if they believe a punitive form of discipline is appropriate.

An officer may not, except as provided in IC 36-8-3-4 and 36-8-10-11, be dismissed, transferred, reassigned, subjected to a personnel action that may result in the loss of pay or benefits, or subjected to a disciplinary measure resulting in monetary loss, unless the officer is notified of the action and the reason for the action in advance of the effective date of the action. IC 36-8-2.1-9

- A. Training as a component of the department's disciplinary system may be used by itself or in conjunction with one or more of the other components of the disciplinary system.
 - 1. Procedures and criteria for using training as a function of discipline shall adhere to General Order 33.1.5 regarding remedial training.
 - 2. This information is not to be part in the officer's personnel file unless it is used, at the time of the training or to support a subsequent disciplinary action, in conjunction with a punitive form of discipline that is maintained in officer personnel files. However, training records shall be maintained in accordance with General Order 33.1.6.

- B. Counseling as a component of the department's disciplinary system may be employed by itself or in conjunction with one or more of the other components of the disciplinary system.
 - 1. In order to use counseling as a function of discipline, the following criteria must be satisfied:
 - a. There must exist a reasonable belief that the officer has an existing problem or is experiencing difficulty understanding or adjusting to matters which are:
 - i. Job related or otherwise pertain to assigned tasks;
 - ii. Pertaining to department directives;
 - iii. Interpersonal - involves relationships with co-workers; or
 - iv. Personal, but which are affecting the officer's work performance.

- b. Evidence must be present indicating that the officer's problem is having a deteriorating effect on work performance; and
 - c. There must be reason to believe that counseling may assist the officer in a supportive way or otherwise have a positive impact on work performance.
2. The following procedures are established for using counseling as a function of discipline:
- a. The officer or a supervisor may initiate the counseling process.
 - b. The supervisor shall meet with the officer and conduct the counseling in person.
 - c. The supervisor shall document the counseling by making an entry into the department's electronic tracking software. This information is not to be part of the officer's personnel file unless it is used, at the time of the counseling or to support a subsequent disciplinary action, in conjunction with a punitive form of discipline that is maintained in officer personnel files.
 - i. If desired conduct and/or performance is achieved, and the officer demonstrates that such conduct and/or performance will be maintained, the supervisor may add a note indicating such in their initial entry into the department's electronic tracking software.
 - ii. In the event that the desired conduct and/or performance does not improve, the supervisor may add a note indicating such in their initial entry into the department's electronic tracking software, and may use other components of the disciplinary system as deemed appropriate to correct the deficiency.
3. The initial counseling effort shall be intended to change negative behavior before punitive discipline is necessary. However, if a solution cannot be found during the counseling process to someone who may be able to assist in finding a remedy. Types of remedies or other sources may include, but are not limited to:
- a. Referral to higher ranking officer;
 - b. Referral to and/or participation in an officer assistance program (See General Order 35.1.9(F) for types of officer assistance programs);
 - c. Reassignment to another shift or position; and/or

d. A performance improvement plan (PIP).

- i. If a PIP is utilized, the approved PIP form will be completed and uploaded with the entry in the department's electronic tracking software.

C. Punitive Forms of Discipline: Removal or suspension of certain privileges and/or reassignments do not by themselves constitute punitive forms of discipline. However, punitive discipline may include removal or suspension of certain privileges and/or reassignments if used in conjunction with one of the following punitive forms of discipline.

1. Verbal Reprimand:

- a. Whenever a supervisor, or a superior of the supervisor, determines that the incident, action, performance, or behavior of an officer is such that more severe disciplinary action is not immediately necessary and training and/or counseling are inappropriate or insufficient, the supervisor shall issue the subordinate a verbal reprimand.
- b. The officer shall have an opportunity to explain the facts surrounding the incident, action, performance, or behavior of the officer.
- c. The factual findings shall be documented by creating an entry in the department's electronic tracking software, and uploading a completed verbal reprimand form to the entry.
- d. A verbal reprimand is not to be part of the officer's personnel file unless it is used to support a subsequent disciplinary action that involves a different punitive form of discipline that is maintained in officer personnel files.

2. Written Reprimand

- a. When a supervisor, or a superior of the supervisor, determines that a written reprimand is appropriate and necessary, they shall recommend through the chain of command to the Chief of Police that a written reprimand be issued.
 - i. The recommendation requirement through the chain of command may be achieved by making an entry in the department's electronic tracking software and placing it on "hold," until it is approved by the Chief of Police.

- b. The officer shall have an opportunity to explain the facts surrounding the incident, action, performance, or behavior of the officer.
 - c. The factual findings shall be documented by creating an entry in the department's electronic tracking software, and uploading a completed written reprimand form to the entry. This information shall not be distributed to the officer until approved by the Chief of Police.
 - d. In compliance with I.C. 36-8-3-4.1, if an officer is issued a written reprimand, the Chief of Police shall, within 48 hours, notify the Board of Public Works and Safety of the action and the reasons for the action in writing.
 - e. A written reprimand shall be part of the officer's permanent personnel file.
3. Suspension of 40 Hours or less:
- a. When a supervisor, or a superior of the supervisor, determines that the incident, action, performance, or behavior of an officer is such that disciplinary action more severe than a written reprimand is necessary, they shall make this recommendation through the chain of command to the Chief of Police.
 - i. The recommendation requirement through the chain of command may be achieved by making an entry in the department's electronic tracking software and placing it on "hold," until it is reviewed by the Chief of Police.
 - ii. The Chief of Police will have the discretion to:
 - a. Issue a suspension with pay for any length of time pending further action;
 - b. Issue a suspension up to 40 hours without pay pending further action;
 - c. Issue a suspension for any length of time with pay; or
 - d. Issue a suspension up to 40 hours without pay.
 - b. The officer shall have an opportunity to explain the facts surrounding the incident, action, performance, or behavior of the officer.

- c. The factual findings shall be documented by creating an entry in the department's electronic tracking software, and uploading a completed temporary suspension form to the entry. This information shall not be distributed to the officer until approved by the Chief of Police.
 - d. In compliance with I.C. 36-8-3-4.1, if an officer is issued a suspension for 40 hours or less, the Chief of Police shall, within 48 hours, notify the Board of Public Works and Safety of the action and the reasons for the action in writing.
 - e. A suspension shall be part of the officer's permanent personnel file.
4. Suspension of More than 40 Hours, Demotion, or Dismissal (Discharge):
- a. When a supervisor, or a superior of the supervisor, determines that the incident, action, performance, or behavior of an officer is such that disciplinary action more severe than a suspension of 40 hours or less is necessary, they shall make this recommendation through the chain of command to the Chief of Police.
 - i. The recommendation requirement through the chain of command may be achieved by making an entry in the department's electronic tracking software and placing it on "hold," until it is reviewed by the Chief of Police.
 - b. The officer shall have an opportunity to explain the facts surrounding the incident, action, performance, or behavior of the officer.
 - c. The factual findings shall be documented by creating an entry in the department's electronic tracking software, and uploading a completed Chief's charges form to the entry. This information shall not be distributed to the officer until approved by the Chief of Police.
 - d. In compliance with I.C. 36-8-3-4, before a an officer may be suspended in excess of 40 hours, be demoted, and/or be dismissed (discharged), the Chief of Police shall notify the Board of Public Works and Safety, and inform them of his/her recommendation and the reasons for the recommendation in writing.
 - e. In accordance with I.C. 36-8-3-4, when the Chief of Police notifies the Board of Public Works and Safety, and informs them of his/her recommendation and the reasons for the recommendation to suspend an officer in excess of 40 hours, demote an officer, and/or dismiss (discharged) an officer, the Board of Public Works and Safety shall offer the officer an opportunity for a hearing.

- i. If the officer desires a hearing, the officer must request the hearing not more than 5 days after receiving notice of the Chief's recommendation.
 - ii. The request shall be in writing and delivered to the Chief of Police.
 - iii. The hearing conducted by the Board of Public Works and Safety shall be held not more than 30 days after the officer requested the hearing, unless a later date is mutually agreed upon by the parties.
 - a. If the parties mutually agree to a later hearing date, they may also mutually agree that the matter be reviewed for an attempted resolution in meetings held by the Human Resources Director involving the Chief of Police and the employee prior to a hearing by the Board of Public Works and Safety. This does not in any way relieve the employee of the request requirement in General Order 26.1.4(C)(4)(e)(i).
 - iv. Written notice of the hearing shall be given in accordance with General Order 26.1.6(B)(2)(b).
- f. In making their determination, the Board of Public Works and Safety may either follow or divert from the Chief's recommendation.
- i. Diverting from the Chief's decision may include:
 - a. Finding that the officer should not receive any form of disciplinary action;
 - b. Finding the recommended form of discipline was too great, and issuing a lesser degree of disciplinary action;
or
 - c. Finding the recommended form of discipline was not great enough, and issuing a greater degree of disciplinary action.
 - ii. If the officer was suspended and had wages withheld, and the Board of Public Works and Safety determines that the suspension was inappropriate, the officer may be entitled to any wages withheld as a result of the suspension.

- g. A suspension in excess of 40 hours, a demotion, or dismissal shall be part of the officer's permanent personnel file.

26.1.6 Appeal Procedures for Disciplinary System

- A. Any officer has the right to appeal any component of the department disciplinary system that becomes part of that officer's permanent personnel file. Except, probationary officers may be terminated from employment without right of appeal.
- B. Appeal process for written warnings and/or suspensions of 40 hours or less:
 - 1. In accordance with I.C. 36-8-3-4.1, an officer who is issued a written reprimand or is suspended for 40 hours or less may, within 48 hours after receiving notice of the reprimand or suspension, request in writing that the Board of Public Works and Safety review the reprimand or suspension. Such request in writing must be delivered directly to the Chief of Police within the 48 hour time frame.
 - 2. At its discretion, the Board of Public Works and Safety may hold a hearing during this review.
 - a. The parties may mutually agree that the matter be reviewed for an attempted resolution in meetings held by the Human Resources Director involving the Chief of Police and the employee prior to a review by the Board of Public Works and Safety. This does not in any way relieve the employee of the request requirement in General Order 26.1.6(B)(1).
 - b. If the Board of Public Works and Safety holds a hearing, the attorney for the Board of Public Works and Safety shall issue written notice of the hearing in accordance with IC 36-8-3-4 and shall comply with any other notice requirements required by law.
 - 3. In making their determination, the Board of Public Works and Safety may either uphold or reverse the Chief's decision.
 - a. If the officer was suspended and had wages withheld, and the Board of Public Works and Safety determines that the suspension was inappropriate, the officer may be entitled to any wages withheld as a result of the suspension.
 - 4. The determination by the Board of Public Works and Safety in these appeals is final, and is not subject to further appeal.

5. If the Chief's decision is upheld, all documents related to the appeal will be attached to and maintained with the original disciplinary action. However, if the Chief's decision is reversed, the Chief's decision along with all documents related to the appeal will not be made part of the officer's permanent personnel file.
- C. Appeal process for suspension of more than 40 hours, demotion, or dismissal (Discharge):
1. All disciplinary actions shall be final upon determination by the Board of Public Works and Safety, and not subject to further appeal unless provided for in I.C. 36-8-3-4.
 2. If the Chief's decision is upheld, all documents related to the appeal will be attached to and maintained with the original disciplinary action. However, if the Chief's decision is reversed, the Chief's decision along with all documents related to the appeal will not be made part of the officer's permanent personnel file. However, if the decision by the Board of Public Works and Safety is overturned by further appeal, the type of documents and retention of documents will be determined by the Court that had jurisdiction in the appeal.

26.2 Internal Affairs Organizational Integrity

26.2.1 Complaint Investigation

All complaints against the department or its employees shall be investigated regardless of their source. Informal complaints with anonymous complainants can be difficult to investigate; however, the department will carefully review each complaint for validation before disregarding it for a lack of a complainant. Malicious and deliberate false accusations may be made against the department or employees; these shall be investigated to protect the integrity of the department or the employee, thereby instilling confidence in the department.

- A. The Chief of Police or his/her designee will dedicate resources to investigate complaints and other internal matters based on an assessment of risk, which will be measured in terms of potential impact on the department and likelihood that the complaint is legitimate.
1. If it is determined that there is low impact and low likelihood, a small amount of time and few resources should be used to investigate the complaint.
 2. If it is determined that there is high impact and low likelihood or low impact and high likelihood, a fair amount of time and resources should be used to investigate the complaint.
 3. If it is determined that there is high impact and high likelihood, significant time and resources should be used to investigate the complaint.

26.2.2 Records, Maintenance and Security

- A. The department shall maintain a record of all formal and informal complaints.
 1. Any supervisor receiving an informal complaint shall make an entry in the department's electronic tracking software in the "citizen complaint" category.
 2. Any member receiving a formal complaint shall deliver it immediately to the office of the Chief of Police. An administrator shall make an entry in the department's electronic tracking software in the "citizen complaint" category.
 3. The Chief of Police or his/her designee shall inform the Audit Review Committee of all formal complaints received.
 4. When a formal or informal complaint is made, any related audio/video data shall be retained in accordance with G.O. 41.3.8(D)(3).
- B. If the Chief of Police or his/her designee initiate an assigned investigation or an internal affairs investigation:
 1. The supervisor or internal affairs investigator shall maintain all records pertaining to the investigation in a secure area, where the records can only be viewed by those authorized. Upon completion of the investigation, the supervisor or internal affairs investigator shall deliver the records to the Chief of Police or his/her designee.
 - a. All assigned investigation and internal affairs investigation files, conversations, notes, recordings and all other evidence shall be kept in the strictest confidence. Only those persons involved with the investigative process, or with a need or right to know such information, shall be privy to such information. Improper disclosure shall be cause for discipline.
 2. Upon receipt of:
 - a. An internal affairs investigation, the Chief of Police or his/her designee shall secure the records in the office of the Chief of Police, and the Chief of Police or his/her designee shall make an entry in the department's electronic tracking software in the "internal affairs" category. Internal affairs investigations shall be kept on file in the office of the Chief of Police for the duration of the employee's employment. At the termination of employment, the file may be placed in an inactive employee file, and may be disposed of according to law.

- b. An assigned investigation, the Chief of Police or his/her designee shall make an entry in the department's electronic tracking software, which may simply consist of adding a note to an existing entry. Assigned investigations shall be kept on file electronically, unless otherwise dictated by another General Order.
- 3. If an assigned investigation or internal affairs investigation results in an action under the disciplinary system as outlined in General Order 26, the documentation requirements of General Order 26 shall also be followed in addition to the documentation requirements of this General Order.

26.2.4 Complaint/Commendation Registering Procedures

- A. The department shall make available to the public, information on the procedures for registering formal complaints against the department or employees.
 - 1. Complaints are considered formal when:
 - a. It is in writing on a complaint form or the online form provided by the department that identifies a specific incident and sets forth a statement upon which the complaint is based and includes the complainant's name and address, telephone number and/or e-mail address.
 - b. It is submitted to the police department within fifteen (15) business days of the incident giving rise to the complaint, unless the complainant can demonstrate that he/she was physically unable to file a formal complaint within fifteen (15) business days. In such a case, the complaint must be filed within fifteen (15) business days of the date the person becomes physically able to file. Under no circumstances, however, shall any formal complaints be filed more than one-hundred twenty (120) days after the date of the incident giving rise to the complaint.
 - 2. Complaints are considered informal when:
 - a. It adheres to the requirements of a formal complaint, but is not timely made.
 - b. It is in writing on a complaint form or the online form provided by the department, but the complainant fails to identify themselves or fails to provide contact information.
 - c. It is made verbally or in writing and not on a complaint form or the online form provided by the department.

- d. The complaint was considered a formal complaint, but the complainant voluntarily withdraws his/her complaint prior to the department completing its investigation and issuing its conclusion of fact.
 - e. It is filed on a complaint form or the online form provided by the department, but the statement set forth in the complaint does not specify a specific incident that the department can reasonably investigate.
 - f. The complaint was considered a formal complaint, but was or should have been made against a person who was not employed by the Columbus Police Department.
 - g. The complaint was considered a formal complaint, but was made by a person who did not have a first-hand account either by the person involved in the incident or as a direct witness to the incident, unless the complainant is a parent or guardian that is representing a minor who had a first-hand account of the incident.
3. Formal complaint forms shall be available in the following locations and manners:
- a. The lobby of the Columbus Police Department during hours of operation;
 - b. The Columbus Police Department's website 24 hours a day; and
 - c. Any other manner set forth by the Board of Public Works and Safety.
4. Members of the public may register an informal complaint against the department or employees at any time with an on-duty supervisor. Informal complaints shall be accepted by any supervisor who is approached for such assistance. The supervisor will:
- a. Attempt to resolve the informal complaint by explaining departmental policies and procedures to the complainant;
 - b. If the complaint is unable to be resolved by explanation of departmental policies and procedures, investigate any complaint that is typically investigated by a supervisor in accordance with General Order 26.3.1, or refer any complaint that is typically investigated by an internal affairs investigator in accordance with General Order 26.3.1 through the chain of command;

- c. Document any complaint that is unable to be resolved by explanation of departmental policies and procedures in accordance with General Order 26.2.2(A); and
 - d. If the complainant is not satisfied with the supervisor's response, advise the complainant of departmental procedures for registering a formal complaint.
- B. Any employee of the Columbus Police Department may file an Internal Complaint against another employee. This policy does not replace that of the grievance process as stated in General Order 22. Escalation of the complaint should only be conducted if it is beyond the control or ability of the supervisor notified.
 1. Any employee of the Columbus Police Department who wishes to file an internal complaint against another employee shall:
 - a. Submit a written statement to their immediate supervisor identifying the allegations with as much detail as possible;
 - b. If the complaint is against an immediate supervisor then the written statement shall be given to the next highest supervisor in the chain of command.
 2. If the complaint does not describe conduct beyond that as described in 26.3.1(A), then the complaint should be investigated by employee's immediate supervisor, unless the complaint is made against the employee's supervisor
 3. If the complaint alleges conduct beyond that described in 26.3.1(A), then the complaint shall be directed to the Chief of Police or his/her designee.
- C. Any member of the department or citizen may commend an employee for his/her actions. This process is as follows:
 1. Any employee can submit an electronic entry into our tracking system and specify the details surrounding the event. This submission will send a notification in the employee's chain of command of the entry;
 2. All employees of the police department may accept commendations from citizens. If the commendation is in regards to another employee, then the receiving employee should submit an electronic entry into our tracking system and specify the details surrounding the event. This submission will send a notification in the employee's chain of command of the entry.

3. The department's website will make available a manner in which citizens can commend an employee.

26.3 Complaint Procedures

26.3.1 Complaint Types

The Chief of Police or his/her designee will determine the appropriate assignments for assigned investigations and internal affairs investigations.

- A. Supervisors should be tasked with assigned investigations, which should typically involve the following types of allegations:
 1. Alleged rudeness on the part of the employee;
 2. Tardiness;
 3. Insubordination;
 4. Informal complaints that are anonymous despite the allegations; and
 5. Any other grievances, complaints, violations of orders, policies, rules and regulations, and other written directives of the department and city, where the assignment of an internal affairs investigation to an internal affairs investigator is not deemed necessary by the Chief of Police or his/her designee.
- B. Internal affairs investigators should be tasked with internal affairs investigations, which should typically involve the following types of allegations:
 1. Corruption, dishonesty, and untruthfulness;
 2. Brutality and misuses of force;
 3. Criminal misconduct or when the employee has been arrested or is likely to be arrested;
 4. Abuse of law enforcement powers or position;
 5. When an action taken by an employee results in serious bodily injury or death of another person;

6. When a supervisor investigates an informal complaint or assigned investigation under the authority of this General Order, and during the course of his/her investigation, allegations or evidence of violations of orders, policies, rules and regulations, and other written directives of the department and city are made or discovered, which were not originally alleged, and are the types of allegations typically tasked to an internal affairs investigator; and
7. Any other grievances, complaints, violations of orders, policies, rules and regulations, and other written directives of the department and city, where the assignment to an internal affairs investigator is deemed necessary by the Chief of Police or his/her designee.

26.3.2 Notification of Chief

- A. If a formal complaint is delivered to an employee, the employee shall sign and date the complaint form, and immediately deliver the formal complaint to the office of the Chief of Police.
- B. When a supervisor investigates an informal complaint or assigned investigation under the authority of this General Order, and during the course of his/her investigation, allegations or evidence of violations of orders, policies, rules and regulations, and other written directives of the department and city are made or discovered, which were not originally alleged, and are the types of allegations typically tasked to an internal affairs investigator, the supervisor should approach the Chief of Police or his/her designee to recommend that the investigation be turned over to an internal affairs investigator as an internal affairs investigation. The Chief of Police or his/her designee will make the final determination as to whether the investigation needs to be assigned as an internal affairs investigation and turned over to an internal affairs investigator.

26.3.3 Investigation Time Limits

- A. The impact of investigations initiated from a formal complaint and/or internal affairs investigations on the integrity of the department and on employee morale necessitates a speedy resolution to such issues. Therefore, the department specifies a thirty (30) business day time limit for completing such investigations.
- B. There may be exceptions to the thirty (30) business day time limit, but extensions should be granted in those cases where legitimate extenuating circumstances exist. Extensions can only be granted by the Chief of Police, and require notification to the complainant and the employee(s) being investigated.
- C. Employees assigned to investigate a formal complaint or internal affairs investigation shall forward a written fact finding report to the Chief of Police within thirty (30) business days of the receipt of said investigation from the Chief of Police or his/her designee, unless an extension is granted by the Chief of Police.

26.3.4 Informing Complainant

- A. Within five (5) business days of the department receiving a formal complaint, the Chief of Police or his/her designee shall make reasonable attempts to verify receipt of the formal complaint by corresponding with the complainant, using the contact information provided by the complainant on the formal complaint form. The Chief of Police or his/her designee shall inform the citizen that the investigation will be complete within 30 days, unless extensions are granted for legitimate extenuating circumstances.
 - 1. If an extension is granted by the Chief of Police, the Chief of Police or his/her designee shall make reasonable attempts to notify the complainant, using the contact information provided by the complainant on the formal complaint form, within five (5) business days of the extension.
- B. Within five (5) business days of the receiving the written fact finding report, the Chief of Police or his/her designee shall make reasonable attempts to notify the complainant, using the contact information provided by the complainant on the formal complaint form, of the completion of the investigation, the administration's conclusion of fact and the complainant's right to appeal.
- C. Within fifteen (15) business days after the complainant receives the department's conclusion of fact or fifteen (15) business days after the department's reasonable attempts to notify the complainant of the department's conclusion of fact, a complainant has a right to petition for the review of the decision of the Chief of Police by methods established by the Board of Public Works and Safety. Any such appeal by a complainant shall be handled in accordance with the rules and regulations established by the Audit and Review Committee as approved by the Board of Public Works and Safety.

26.3.5 Statement of Allegations/Rights

- A. When an employee becomes the subject of a formal complaint or an internal affairs investigation, the department will issue a written statement of the allegations to the employee within five (5) business days of the Chief of Police receiving the formal complaint or within five (5) business days of the internal affair investigation being initiated.
- B. An employee may become the subject of an internal affairs investigation if:
 - 1. A formal or informal complaint initiates the need for an internal affairs investigation;

2. A supervisor believes assignment of an internal affairs investigation is necessary based on an employee's violation of orders, policies, rules and regulations, and other written directives of the department and city;
 - a. The supervisor shall notify the Chief of Police or his/her designee through the chain of command, verbally or in writing, within 24 hours of being made aware of the violation, and shall deliver a written explanation of the circumstance to the office of the Chief of Police within 24 hours.
 3. The Chief of Police believes that an internal affairs investigation is necessary based on a grievance received in accordance with General Order 25;
 4. The Chief of Police believes that an internal affairs investigation is necessary based on a report of harassment received in accordance with General Order 26.1.3; or
 5. The Chief of Police believes that an investigation is necessary based on other allegations against, performance or conduct of, an employee.
- C. Employee rights and responsibilities relative to assigned investigations and internal affairs investigations:
1. Employees shall cooperate fully in any assigned investigation or internal affairs investigation initiated by the department, including, but not limited to, submitting to requests for interviews and answering all questions relating to the performance of their official duties, scope of employment or fitness for duty. Refusal by an employee to submit to such requests or to answer such questions will subject them to grounds for termination or other punitive disciplinary action. Employees shall provide complete information concerning any issue under investigation, and shall be accurate, complete and truthful in all matters.
 2. If a criminal investigation of the employee(s) involved is commenced, or if the employee(s) involved receive notification that they are the subject of a criminal investigation, the involved employee(s) are not legally required to give a statement to the criminal investigators nor are they required to cooperate in the criminal investigation. Employees are encouraged to seek the advice of legal counsel regarding their involvement in the criminal investigation.
 3. When a non-probationary officer, who is the subject of a complaint or an internal investigation, is subjected to an interview by the department, the following procedures apply: IC 36-8-2.1-1 & 36-8-2.1-5(a) & (b)

- a. The interview shall be conducted at a reasonable hour, preferably at a time when the police officer is on duty, unless, in the judgment of the interviewing officer, the seriousness of the investigation requires an immediate interview. IC 36-8-2.1-5(b)(1)
- b. The interview shall take place at the police department or an equivalent office setting designated by the interviewing officer. IC 36-8-2.1-5(b)(2)
- c. The interviewing officer shall inform the police officer of the name, rank, and assignment of the officer in charge of the investigation, the interviewing officer, and all other persons present during the interview. IC 36-8-2.1-5(b)(3).
- d. The interviewing officer shall present the police officer or nonsworn employee with a statement of rights to be signed by the interviewing officer and the police officer or nonsworn employee. The statement of rights must be in substantially the same form as outlined by IC 36-8-2.1-5(b)(4).
- e. In a noncriminal case, once an officer is scheduled for an interview, the officer in charge of the investigation must provide the officer with a copy of the complaint, if one exists. In a criminal case, the officer in charge of the investigation must inform the officer of the nature of the complaint. The officer in charge of the investigation is not required to disclose the name of the complainant to the officer. IC 36-8-2.1-5(b)(5)
- f. An interview session shall be for a reasonable duration of time and must allow for personal necessities and rest periods as reasonably necessary. IC 36-8-2.1-5(b)(6)
- g. An interview of an officer shall be tape recorded at the request of either party. A written transcript must be provided to the officer upon request, at no cost to the officer. IC 36-8-2.1-5(b)(7)
- h. If at the time of the interview the officer is under arrest or in custody, the interviewing officer must completely inform the officer of the officer's federal and state constitutional rights regarding self-incrimination prior to the commencement of the interview. IC 36-8-2.1-5(b)(8)
- i. An officer may not be required to waive any immunities under federal or state law at any point in an investigation. IC 36-8-2.1-5(b)(9)

- j. A question posed to an officer must specifically, directly, and narrowly relate to the performance of duties or fitness for service as a police officer. IC 36-8-2.1-5(b)(10)
 - k. An officer shall have the right to be represented by an attorney or other representative during an interview where the interview relates to the officer's continued fitness for law enforcement service. The officer shall be provided a reasonable period of time to obtain representation, which may not exceed seventy-two (72) hours from the time of request, unless agreed upon by both parties. The attorney or representative may not participate in the interview, except to advise the officer. IC 36-8-2.1-5(b)(11)
 - l. A non-probationary officer may not be threatened with or subjected to discipline or denial of a promotion, transfer, or reassignment for exercising rights granted under IC 36-8-2.1. IC 36-8-2.1-10
4. If an interview occurs during off duty time of the employee being interviewed, the employee shall be compensated for their off-duty time in accordance with regular department procedures.
 5. When an action taken by an employee results in serious bodily injury or death of another person:
 - a. The involved employee(s) may be required to participate in a "walk through" of the scene with the investigator for the purpose of determining the scope of the crime scene and identifying evidence.
 - b. The involved employee(s) may be required to provide a complete, detailed report of the incident within seventy-two hours of the incident. This report may be in written form or in the form of a taped statement. Employee(s) may be required to answer additional questions of the investigators during interviews.
 6. Employees shall submit to requests for submissions to tests as outlined in General Order 26.3.6. Refusal of an employee to submit to such tests may result in termination or other punitive disciplinary action.

26.3.6 Submission to Tests/Procedures

During investigations into allegations against, or the performance or conduct of, employees, questions may arise that may be answered through specific testing or procedures. The Chief of Police or his/her designee may request an employee submit to specific testing or procedures so long as the tests or procedures are specifically directed and narrowly related to the particular investigation being conducted. The following guidelines shall be used in such cases:

- A. Medical or Laboratory Exams – Employees may be required to submit to requests for medical, ballistic, chemical or other laboratory testing. All such requests shall be administered by a qualified person at the expense of the department,
- B. Photographs - Employees may be required to submit to photographs.
- C. Line-Up - Employees may be required to submit to show-ups or line-ups for the purposes of witness identification.
- D. Financial Disclosure - An employee may be required to submit financial disclosure statements. However, for purposes of a personnel assignment or other personnel action, an officer may not be required to disclose the possession of property or assets, income, debts, or personal or household expenditures, unless the information is obtained through legal process or indicates a conflict of interest that affects the police officer's performance of official duties, unless the inquiry is made by authorized agents of a tax collecting agency. IC 36-8-2.1-11
- E. Polygraph Exams – An employee may be required to submit to polygraph exams.

26.3.7 Relieved from Duty

Employees may be temporarily relieved from duty by being placed on administrative leave, which may be paid or unpaid. Administrative leave is not considered part of the department's disciplinary system unless it is unpaid; unpaid administrative leave is considered a suspension without pay. Other disciplinary circumstances in which an employee may be relieved from duty are provided in General Order 26.

A. Administrative leave

1. Administrative leave is a temporary administrative action pertaining to an employee's physical or psychological fitness for duty, or an action, pending disposition of an internal affairs investigation.
2. Employees on administrative leave may be paid or unpaid.
 - a. The Chief of Police has the discretion to place an employee on administrative leave with pay, even if the leave is for an extended period.
 - b. If the Chief of Police places an employee on unpaid administrative leave, the guidelines used for suspensions shall be followed as outlined in General Order 26.1.4.

- i. In accordance with I.C. 36-8-3-4(n), if an employee is subject to criminal charges, the Board of Public Works and Safety may place the employee on long-term administrative leave until the disposition of the criminal charges in the trial court. Any other action by the board is stayed until the disposition of the criminal charges in the trial court. An administrative leave under this subsection may be with or without pay, as determined by the Board of Public Works and Safety. If the employee is placed on leave without pay, the Board of Public Works and Safety, in its discretion, may award back pay if the employee is exonerated in the criminal matter.
3. At the discretion of the Chief of Police, employees placed on administrative leave may be relieved of their duty, and the department may take custody of any credentials, firearms, vehicles or other effects issued to them by the department.
4. At the discretion of the Chief of Police, employees placed on administrative leave may be prohibited from entering the police department or other law enforcement restricted areas, and he/she may notify necessary persons of such prohibitions.
5. At the discretion of the Chief of Police, employees placed on administrative leave may lose certain privileges while on administrative leave.

B. Suspensions

1. Employees who are suspended in accordance with General Order 26.1.4 shall be relieved of their duty, and the employee may be required to surrender custody of any credentials, firearms or other effects issued to them by the department.
2. Employees who are suspended in accordance with General Order 26.1.4 may be prohibited from entering the police department or other law enforcement restricted areas, and the Chief of Police should notify necessary persons of any such prohibitions.
3. Employees who are suspended in accordance with General Order 26.1.4 should lose certain privileges while suspended, such as assignment of a take-home vehicle, etc.

26.3.8 Conclusion of Fact

- A. All internal affairs investigations and formal complaints shall result in one or more of the following conclusions of fact:

1. Proper Conduct - The allegation is true but the action of the department or employee was consistent with department policy.
2. Improper Conduct - The allegation is true and the action of the department or employee was inconsistent with the department policy.
3. Policy Failure – The department policy is flawed, or is nonexistent.
4. Training Failure - The employee was not properly trained and was placed in a “no win” situation.
5. Other Improper Conduct - During the course of the investigation, allegations or evidence of misconduct were discovered and substantiated that were not originally alleged.
6. Insufficient Evidence - There is insufficient proof to confirm or refute the allegation.
7. Unfounded - Either the allegation is demonstrably false or there is no credible evidence to support it.
8. Partially Substantiated - The allegation is partially true and an action of the department or employee was inconsistent with department policy.

B. Upon the Chief’s receipt of written fact finding reports for investigations of formal complaints or internal affairs investigations, the following will occur:

1. The Chief of Police will meet with his administration, and they will either agree with the investigator’s findings of fact or reduce their findings of fact to writing, and make a conclusion of fact. The administration may task the investigator with additional investigative steps.
2. The administration’s conclusion of fact will be provided to:
 - a. The employee(s) investigated within five (5) business days of the receipt of the completed written fact finding report;
 - b. The citizen who filed the formal complaint, if applicable, in accordance with General Order 26.3.4(B);
 - c. The grievant, if applicable, in accordance with General Order 22.4.1; and
 - d. The Individuals who believe they have been subjected to harassment, if applicable, in accordance with General Order 26.1.3.

3. The Chief of Police may take disciplinary action against the employee in accordance with General Order 26.1.4.

Acceptance by Columbus Police Department Captain's Board:

Date: 9-1-2020



Michael Richardson, Chief

Attest:


Steve Norman, Deputy Chief


Kathy Randomanski, Chief's Secretary


Jay Frederick, Uniform Captain


Jonathan L. Rohde, Administrative Captain


Acceptance by Columbus Board of Public Works and Safety:

Date: Sept. 1, 2020


Jim Lienhoop, Mayor

Attest:


Mary Ferdon, Member


Luann Welner, Clerk-Treasurer
Jennifer Wiwi, Deputy

John Pickett, Member


Jim Strietelmeier, Member


Brenda Sullivan, Member