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Sheriff

HARFORD COUNTY SHERIFF'S OFFICE PERSONNEL POLICY

Progressive Supervision

Distribution:	All Employees			Policy Number:	PER 0204
Responsible Unit:	Office of Professional Standards			Rescinds:	N/A
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Latest Required Review was Completed:	06/02/25			Next Review Due:	06/30/28

1. Purpose

To provide supervisors and deputies with information explaining the different types of supervisory and disciplinary procedures.

2. Policy

The Harford County Sheriff's Office (HCSO) will use a supervisory model for correctional deputies that is on a continuum that will provide a progressive approach to keep deputies focused and productive while deterring unwanted behavior.

3. Definitions

DEPUTY: as referenced in this policy means correctional deputy.

HEARING BOARD: a panel that is authorized by the Sheriff to hold a hearing on a complaint against a deputy.

PROBATIONARY DEPUTY: a deputy who has not completed the entry level two-year probationary period mandated by statute.

4. Procedures

A. Performance Appraisal System Documentation

1. Overview

- a. **CATEGORY:** non-disciplinary
- b. **USED FOR:** improvement of performance and minor violations.
- c. **RESTRICTIONS:** N/A
- d. **DISPOSITION:** written documentation (Guardian Entry).
- e. **ADMINISTRATIVE INVESTIGATION CONDUCTED:** Discretionary.

2. Key Points

Detailed information about the Performance Appraisal System may be found in Policy PER 0902.

3. Procedures

Supervisors will:

- a. document deputy work performance and behavior using Guardian; and
- b. review performance appraisals with deputies to ensure the mission and values of the HCSO are supported.

B. Personnel Counseling

1. Overview

- a. CATEGORY: **non-disciplinary**.
- b. USED FOR: minor violations.
- c. RESTRICTIONS: behavior requiring formal disciplinary action.
- d. DISPOSITION: written documentation (Guardian Entry).
- e. ADMINISTRATIVE INVESTIGATION CONDUCTED: **Discretionary**.

2. Key Points

Supervisors will:

- a. conduct counseling at the time of the violation, as soon as possible after the occurrence of the inappropriate behavior or at the conclusion of the investigation.
- b. conduct counseling with the deputy or attend counseling conducted by the deputy's commander.
- c. document deputy performance and provide guidance to correct behavior that is not in compliance with current HCSO policies.
- d. focus counseling on the violation, pointing out areas for improvement and recommend a course of action, including training, to help the deputy improve.
- e. encourage the deputy to offer suggestions to improve the behavior and performance.

3. Procedures

- a. The Guardian System will be used to document counseling sessions.
- b. The deputy will be given the opportunity to add a written comment to the counseling document within the Guardian System.

C. Alternative Disciplinary Process (ADP)

1. Overview

- a. CATEGORY: **disciplinary**.
- b. USED FOR: minor violations.
- c. RESTRICTIONS: Agency vehicle collisions are not eligible as these incidents require an administrative investigation.
- d. DISPOSITION: consistent with Category "B" or "C" offenses.
- e. ADMINISTRATIVE INVESTIGATION CONDUCTED: **No**.

2. Key Points

- a. Commanders may offer ADP when the:
 - (i) alleged violations are serious enough to compel formal disciplinary action;
 - (ii) an administrative investigation is not conducted;
 - (iii) the Chief Deputy concurs;
 - (iv) the facts which constitute a violation are not in dispute; and
 - (v) the deputy agrees to the punishment recommended by his commander.
- b. The deputy must agree that the minor misconduct occurred and wants to resolve the issue by accepting the disciplinary action recommended by the commander.
- c. It is the deputy's option to accept ADP; if he does not accept ADP, an investigation will be conducted to determine if misconduct has occurred.

3. Procedures

- a. The deputy's commander will contact the Commander of OPS to discuss the case, the feasibility of offering ADP and the recommended disciplinary action.
- b. When an agreement is reached with the OPS Commander regarding the use of ADP, and the recommended discipline is approved by the Chief Deputy, the deputy's commander will:
 - (i) forward the original Form IA-028 to OPS, noting the agreed upon disciplinary recommendation; and
 - (ii) meet with the deputy to discuss the allegation and recommended discipline.
- d. The deputy's commander will ensure the deputy understands that:

- (i) acceptance of the recommended discipline only applies under ADP;
 - (ii) statements made by the deputy in the meeting with the commander may not be used in any disciplinary investigation or proceedings against the deputy;
 - (iii) additional investigations and disciplinary actions may result if other allegations or information comes to light; and
 - (iv) acceptance of ADP will not excuse the deputy from being interviewed at a later time to provide information pertaining to other deputies or additional allegations.
- d. If the deputy accepts ADP, he will sign the Notification of Charges (Form IA-009), the Administrative Disciplinary Action and Waiver of COBR Rights (Form IA-010).
- e. If the deputy does not accept the recommended discipline:
- (i) the deputy shall sign an Order Not to Discuss (Form IA-030) and not discuss the case with anyone other than his counsel, union representative or the investigator;
 - (ii) the OPS will be notified of the refusal to accept ADP; and
 - (iii) the alleged violation will then be investigated.
- f. Report flow when ADP accepted
- (i) the original Complaint Against Personnel (Form IA-028) will be forwarded to the OPS. The original and one copy of the Notification of Charges (Form IA-009), the Administrative Disciplinary Action and Waiver of COBR Rights (Form IA-010) will be forwarded to the OPS; and
 - (ii) the OPS will forward the original copies of the appropriate forms to the Human Resources Manager for processing.

D. Summary Punishment

1. Overview
 - a. CATEGORY: **disciplinary**.
 - b. USED FOR: minor violations.
 - c. RESTRICTIONS: any Category "D" or "E" violation.
 - d. DISPOSITION: may not exceed Category "C" penalties.
 - e. ADMINISTRATIVE INVESTIGATION CONDUCTED: **Yes**.
2. Key Points
 - a. Commanders may offer summary punishment when the:

- (i) facts which constitute minor violations are not in dispute;
 - (ii) deputy accepts the punishment as recommended; and
 - (iii) deputy waives the right to a formal hearing provided for by the COBR.
 - b. Cases disposed of by Summary Punishment are not forwarded to the Harford County Law Office.
3. Procedures
- a. Commanders will:
 - (i) prepare a Notification of Charge (Form IA-009), with a concise statement of facts;
 - (ii) refer to the Penalty Assessment Matrix when assigning the disciplinary action;
 - (iii) meet with the deputy to determine whether the facts of the case are in dispute;
 - (iv) if the facts are NOT in dispute, allow up to five working days for the deputy to accept the disciplinary action; and
 - (v) ensure that the deputy accepting Summary Punishment signs the Notification of Charges (Form IA-009) and the Administrative Disciplinary Action and Waiver of COBR (Form IA-010).
 - b. If the facts of the case ARE in dispute, Summary Punishment will not be offered and the case will be processed in accordance with the procedure for Hearing Boards.
 - c. Report flow when Summary Punishment is accepted
 - (i) The original Complaint Against Personnel (Form IA-028) will be forwarded to the OPS. The original and one copy of the Notification of Charges (Form IA-009) and the Administrative Disciplinary Action and Waiver of COBR Rights (Form IA-010) will be forwarded to the OPS; and
 - (ii) The OPS will forward the original copies of the appropriate forms to the Human Resources Manager for processing.

E. Hearing Board

- 1. Overview
 - a. CATEGORY: **disciplinary.**
 - b. USED FOR: any type of formal disciplinary action.
 - c. RESTRICTIONS: non-disciplinary documentation.
 - d. DISPOSITION: range from a written reprimand to termination.
 - e. ADMINISTRATIVE INVESTIGATION CONDUCTED: **Yes.**

2. Key Points

- a. Behavior contrary to HCSO rules and regulations may be cause for administrative charges.
- b. Except as provided in subsection (F) (2) of this directive, a deputy on entry level probation is not entitled to a hearing as provided by COBR if he has been charged administratively.

3. Procedures

- a. Detailed procedures related to hearing boards may be found in HCSO Policy PER 0208.

F. Probationary Deputies

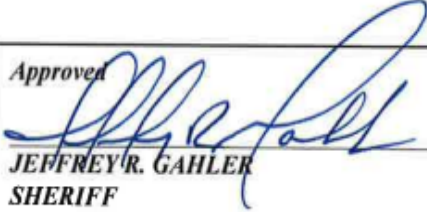
- 1. A probationary deputy's commander will attempt to correct inappropriate behavior through supervision and training.
- 2. Probationary deputies are not entitled to COBR provisions unless there is an allegation of brutality.
- 3. If disciplinary action is taken, commanders will:
 - a. document the behavior on a Probationary Deputy Record of Disciplinary Action (Form IA-031);
 - b. select a penalty with concurrence of the Chief Deputy;
 - c. ensure that the case file is reviewed by the Sheriff if the penalty exceeds a suspension of 15 days;
 - d. present the completed Probationary Deputy Record of Disciplinary Action (Form IA-031) to the deputy and have him sign it; and
 - e. forward the Probationary Deputy Record of Disciplinary Action (Form IA-031) and the completed case file, through channels, to OPS for processing.

G. Documentation

- 1. Documentation related to disciplinary action will be maintained in accordance with Agency policy.
- 2. All disciplinary action, including ADP, requires the completion of a Review of Adverse Material (IA-013) form and an Administrative Disciplinary Action and Waiver of COBR (IA-010) prior to any documentation being allowed to be inserted into the agency member's personnel file.
 - a. The above process does not apply to probationary employees. If any action is taken against a probationary employee utilize the Probationary Deputy Record of Disciplinary Action (IA-031) as these employees do not have the same COBR rights as a non-probationary employee.

5. Summary of Changes

- A. On 06/02/25 the 3-Year agency policy review was conducted, and no changes were made.

Approved 
JEFFREY R. GAHLER
SHERIFF
DATE 8.25.16