

**PRINCE WILLIAM COUNTY POLICE DEPARTMENT
MANUAL OF GENERAL ORDERS**

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DISCIPLINARY ACTION: GENERAL GUIDELINES AND AUTHORITY

- A. The purpose of this General Order is to establish procedures pertaining to the handling of complaints or allegations of misconduct against members and the administration of the Department's disciplinary system.
- B. It shall be the policy of the Department to accept and investigate all complaints or allegations of misconduct, to include anonymous complaints, on the part of any member. In doing so, the Department will strive to be fair to both the complainants and the members involved. The Department will also strive to impose such disciplinary actions as deemed necessary in a fair and impartial manner and to provide adequate appeal procedures to ensure that the rights of all members are protected.
- C. While encouraging the filing of legitimate complaints against members as a means by which the Department can be held accountable to the public, the Department simultaneously seeks to hold complainants responsible for filing false and malicious allegations against members. The Department will actively seek appropriate legal proceedings against complainants who file false and malicious complaints against members.
- D. The Department will maintain a supply of Citizen Complaint Information forms, accessible by the public, at all departmental facilities. Information on how to file a complaint will be made available at various public facilities throughout the County.
- E. The provisions of this General Order shall apply to sworn members of the Prince William County Police Department. Non-sworn members shall be afforded the same procedural rights, except that the appellate rights for sworn member will be limited to the Chief of Police and the County grievance procedure. Non-sworn members do not have the right to a hearing before a Police Trial Board of Appeals.
- F. Authority.
 - 1. **Statutory Authority** – All disciplinary actions taken under this General Order are subject to, and must be administered in accordance with, County Personnel Policy and/or §§9.1-501 through 9.1-507, [*Code of Virginia*](#) (Law Enforcement Officers' Procedural Guarantees).
 - 2. **Authority of the Chief of Police** – Final departmental disciplinary authority and responsibility rests with the Chief of Police.

3. **Authority of the Deputy Chief of Police** – The Deputy Chief of Police is authorized to initiate investigations of complaints against members. The Deputy Chief is also delegated authority to impose disciplinary action, if such action is ratified by the Chief of Police prior to imposition.
4. **Authority of Division Commanders** – Division Commanders or the Office of Professional Standards Commander with the approval of the Chief of Police, are hereby delegated the authority to initiate investigations of complaints against members. Division Commanders are also delegated authority to impose disciplinary action, if such action is ratified by the Chief of Police prior to imposition.
5. **Authority of District and Bureau Commanders** – Division Commanders may delegate to subordinate District and Bureau Commanders within their commands the right to initiate investigations of members within their commands and to impose disciplinary action. The delegation of authority must be made in writing with a copy forwarded to both the Chief of Police and the Commander of the Office of Professional Standards. A record of any such delegation shall be maintained within the Office of Professional Standards files.

Any proposed disciplinary action to be imposed by a District or Bureau Commander may be appealed to the appropriate Division Commander and must be ratified by the Chief of Police prior to imposition.

6. **Authority to Impose Emergency Suspension.**
 - a. All departmental supervisors shall have the authority to impose emergency suspension (relief from duty) on any of their subordinates. An emergency suspension is justified any time it appears that a member's continued presence on the job is a substantial and immediate threat to the welfare of the Department or the public, or whenever the member refuses to obey a direct order issued in conformance with the law or departmental directives. In such situations, the relieved member and the supervisor who imposed the emergency suspension shall report to the suspended member's Division Commander on the next business day at 10:00 a.m., unless otherwise directed by the Division Commander. The Division Commander shall hear the suspended member and the supervisor who imposed the suspension and determine whether the suspension should continue. If the Division Commander decides that the suspension should continue, the Commander will place the suspended member on administrative leave with pay. The Division Commander will notify the Chief of Police in writing as to action taken. These actions are subject to the approval of the County Executive.
 - b. The Division Commander may authorize, in writing, that this procedure be conducted by a District or Bureau Commander within their command.

- c. When a member is suspended there under (regardless of the period of time involved), the suspended member's gun, badge, police radio, and police I.D. cards will be taken and held by the Department for the duration of the suspension. All suspensions, except those ordered as a disciplinary penalty after an investigation has been completed, will be with pay. However, any extension past seven days will require approval of the County Executive. Each and every seven day extension subsequent to the initial suspension will require the approval of the County Executive.
 - d. Office of Professional Standards sworn members, with the prior approval of the Chief of Police or designee, may suspend a member's police authority with just cause. This suspension of police authority may not involve placing the involved member on suspension or administrative leave but will require Office of Professional Standards to take custody of the member's gun, badge, police radio, access cards and police I.D. cards.
 - 1) The Office of Professional Standards will notify the affected member's Division Commander after this action as soon as possible.
 - 2) This action will be documented in writing with a copy sent to the affected member.
7. **Authority to Allow Informal Guidance** – Nothing contained in this General Order shall prohibit the giving of informal guidance and/or remedial training to a member by a supervisor regarding minor infractions of departmental policy or procedures which do not result in formal disciplinary action.