

Refer to category description when determining the severity of the violation for directives that fall in multiple categories.

Categories and Descriptions <i>Examples noted (but not limited to)</i>		Mitigated	Presumptive	Aggravated
CATEGORY A: Conduct that has or may have a minimal negative impact on operations or professional image of PPB. <i>Failure to provide name, badge, card</i> <i>Use of profanity</i> <i>Failure to write a report</i> <i>Failure to appear in court</i> <i>Minor deviation from policy resulting in vehicle crash</i> <i>Rude or dismissive behavior/language</i>	1st violation in 1 Year		CC	LOR
	2nd violation in 1 Year	CC	LOR	One Day SWOP
	3rd violation in 1 Year	LOR	One Day SWOP	Two Day SWOP
CATEGORY B: Conduct that has or may have a negative impact on operations or professional image of PPB; or that negatively impacts relationships with other officers, agencies or the public. <i>Deviation from policy resulting in vehicle crash</i> <i>Failure to warn (prior to use of force)</i> <i>Improper control hold</i> <i>Minor deviation from vehicle pursuit policy</i> <i>Failure to write an ORS mandated report</i> <i>Minor deviation from confrontation management performance policy</i> <i>Minor deviation from search and seizure policy</i> <i>Deviation from policy resulting in N/D of Less Lethal/Taser</i>	1st violation in 2 Years	CC	LOR	One Day SWOP
	2nd violation in 2 Years	LOR	One Day SWOP	Two Day SWOP
	3rd violation in 2 Years	One Day SWOP	Two Day SWOP	One Workweek SWOP
CATEGORY C: Conduct that involves a risk to safety or that has or may have a pronounced negative impact on the operations or professional image of the department, or on relationships with other officers, agencies or the public. <i>Significant deviation from policy resulting in vehicle crash</i> <i>Disclosure of confidential information</i> <i>Significant deviation from policy resulting in N/D of Less Lethal/Taser</i> <i>Failure to adhere to ORS mandated arrest</i> <i>Minor deviation from use of physical force policy</i> <i>Deviation from policy resulting in N/D of F/A</i> <i>Deviation from vehicle pursuit policy</i> <i>Deviation from confrontation management performance policy</i> <i>Deviation from search and seizure policy</i> <i>Offensive or discriminatory language (Example: Epithets)</i>	1st violation in 3 Years	LOR	One Day SWOP	Two Day SWOP
	2nd violation in 3 Years	One Day SWOP	Two Day SWOP	One Workweek SWOP
	3rd violation in 3 Years	Two Day SWOP	One Workweek SWOP	Two Workweek SWOP
CATEGORY D: Conduct substantially contrary to the values of the PPB or that substantially interferes with its mission, operations or professional image, or that involves a serious risk to officer or public safety, or intentionally violates bureau policy. <i>Disparate treatment</i> <i>Deviation from use of physical force policy</i> <i>Significant deviation from vehicle pursuit policy</i> Sustained 2.02 Violations (Mandatory PRB Review) <i>Significant deviation from policy resulting in N/D of F/A</i>	1st violation in 5 Years	One Day SWOP	Two Day SWOP	One Workweek SWOP
	2nd violation in 5 Years	Two Day SWOP	One Workweek SWOP	Two Workweek SWOP
	3rd violation in 5 Years	One Workweek SWOP	Two Workweek SWOP	Three Workweek SWOP

Yellow shading indicates automatic referral to Police Review Board Board

See Page 2 for information about the use of this guide.

CC - Command Counseling LOR - Letter of Reprimand SWOP - Suspension without Pay

Workweek = Forty Hours N/D - Negligent Discharge F/A - Firearm

Refer to category description when determining the severity of the violation for directives that fall in multiple categories.

Categories and Descriptions <i>Examples noted (but not limited to)</i>		Mitigated	Presumptive	Aggravated
CATEGORY E: Conduct that involves misuse of authority, unethical behavior, or an act that could result in an adverse impact on officer or public safety or to the professionalism of the PPB. <i>Display of a firearm or badge for personal gain</i> <i>Significant deviation from use of physical force policy</i> <i>Significant deviation from confrontation management performance</i> <i>DUII</i> <i>Significant violation of search and seizure policy</i> <i>Evidence Tampering</i> <i>Supervisor failing to take action on 2.02 violation</i> <i>Retaliation</i>	1st violation in 7 Years	Two Day SWOP	One -Two Workweek SWOP	3 Workweek SWOP - Termination
	2nd violation in 7 Years	One -Two Workweek SWOP	3 Workweek SWOP - Termination	Demotion - Termination
	3rd violation in 7 Years	3 Workweek SWOP - Demotion	Termination	
CATEGORY F: Any violation of law, rule or policy which: could result in death or serious bodily injury; or constitutes a willful disregard of PPB values; or involves any act that demonstrates a serious lack of integrity, ethics or character related to an officers fitness to hold the position of police officer; or involves misconduct substantially contrary to the standards of conduct reasonably expected of one whose sworn duty is to uphold the law ; or involves any conduct which constitutes the failure to adhere to any contractual condition of employment or failing to maintain certification mandated by law. <i>Out of policy use of deadly force</i> <i>Significant deviation from confrontation management performance policy during use of deadly force</i> <hr/> <i>Any felony or D.V. conviction</i> <i>Untruthfulness</i>	Violation	3 Workweek SWOP - Demotion	Termination	

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Any prior sustained violation involving the same or similar misconduct within the specified time frame, in a category greater than or equal to the current violation, may be considered as one prior violation.

Any prior sustained violation involving the same or similar misconduct within the specified time frame, in a category lower than the current violation, may be considered as an aggravating factor.

In cases involving multiple concurrent sustained violations, the presumptive discipline level will be set at the category of the most serious sustained violation. The additional violations may increase the penalty level by 1.

Disciplinary actions are determined by the Police Commissioner and/or the Chief of Police and/or their designee. The Police Commissioner and/or Chief of Police may deviate from this guide as conditions and circumstances warrant.

One year is defined as one calendar year from the date of discipline.

Mitigating factors to consider include (but are not limited to): circumstances surrounding rule violation; complimentary history including commendations, letters of appreciation, awards and medals; prior work history, such as positive evaluations and/or work performance, volunteerism, advanced job-related training; discipline history; the member's years of service; training received specific to the behavior in question; willingness to accept responsibility; member's intention in taking or not taking action.

Aggravating factors to consider include (but are not limited to): potential or actual injury or harm to the member of the public or bureau member; rank of the officer who committed the violation; member's prior discipline history or corrective action history; potential impact to the Bureau mission or operations; loss or damage to city or private property; unsatisfactory work performance; failure to meet documented expectations (i.e. Letter of Expectation, Work Plan); training received specific to the behavior in question; documented history of unsatisfactory performance; failure to accept responsibility; member's intention in taking or not taking action.

This guide supplements existing City and Bureau policies, including Directive 341.00 and City of Portland HRAR 5.01.