

## DRAFT MITIGATING AND AGGRAVATING FACTORS

For Discussion Purposes Only

MITIGATED	AGGRAVATED
Positive employment history	Prior disciplinary history
Self-reported the violation	Delay in reporting
Unintentional conduct	Intentional conduct
The limited impact of the violation upon the community or the department and its mission	Adverse impact upon the agency with regard to its mission, reputation, credibility and relationship with the community.
The limited nature and extent of property damage or harm caused by misconduct	The nature and extent of property damage or of injury or endangerment to an officer or civilian.
	Officer took efforts to cover up conduct or behavior
Officer promptly accepted responsibility	Does not accept responsibility if misconduct is undisputed
Motivated by public interest or wellbeing of others	Motivated by personal interest or gain
	Failure to meet documented expectations
Role of the officer (subordinate and supervisor on scene)	Supervisory position
Officer attempted to de-escalate the encounter	Officer failed or declined to attempt to de-escalate the encounter even though feasible to do so
	Lack of candor and failure to cooperate with the investigation
Potential for Rehabilitation	Low probability or limited potential for rehabilitation
The nature of the event was such that it was unpredictable, volatile, or unfolded rapidly not allowing time for deliberate action	The nature of the event is such that it allowed time for deliberate reflection or action
Extraordinary circumstances or hardships that may be relevant	Victim's vulnerability that is related to the act of misconduct
The reasonably limited or lack of knowledge, training and experience of the officer involved that is germane to the incident	The presence or reasonable availability of knowledge, training and experience of the officer involved that is germane to the incident