



# GENERAL ORDER ADM-26 COUNSELING FORM

EFFECTIVE FEBRUARY 15, 2006

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This General Order contains the following numbered sections:

- I. POLICY
- II. CRITERIA FOR ISSUANCE
- III. ISSUANCE PROCEDURES
- IV. RETENTION AND DOCUMENTATION
- V. CANCELLATION

## **I. POLICY**

The Howard County Department of Police (HCPD) will generally document all performance deficiencies and minor infractions of HCPD Rules, Regulations, Policies, and Procedures.<sup>1</sup> Documentation is one part of a constructive counseling effort designed to improve and record employee performance and to support the process.

## **II. CRITERIA FOR DOCUMENT ISSUANCE**<sup>2</sup>

- A. The Counseling Form (see Appendix A) is a non-punitive method designated for use by a supervisor in those instances when the supervisor deems it necessary to counsel and correct a subordinate for minor infractions of rules, regulations, policies, or procedures, or for poor performance.<sup>3</sup> Counseling forms may be issued to any member, sworn or otherwise, of the HCPD, including volunteers. The following are examples of incidents where, at the discretion of the supervisor, the Counseling Form may be used (**NOTE: This is not an inclusive listing of all incidents**):
  - 1. Tardiness
  - 2. Disruptive comments or behavior in roll call/work area
  - 3. Failure to make timely radio response
  - 4. Missing or being late for a detail/assignment
  - 5. Other minor infractions that should be immediately pointed out and corrected.
- B. Consistent with General Order ADM-02, Internal Investigations, when the Division/Watch Commander and the immediate supervisor are in agreement, the Counseling Form may be used for minor citizen complaints rather than the formal disciplinary action procedure. The following are examples of allowable uses:
  - 1. A citizen complaint of an improperly parked police vehicle.
  - 2. An isolated complaint about an employee's attitude or demeanor.
  - 3. Improper parking or speeding in police vehicles.
- C. The Counseling Form may be used as a component of the disciplinary system during the disposition of internal investigations, consistent with General Order ADM-02, Internal Investigations.

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<sup>1</sup> CALEA 52.1.10

<sup>2</sup> CALEA 26.1.4 b

<sup>3</sup> CALEA 52.1.10

**III. ISSUANCE PROCEDURES**

- A. The supervisor, after an initial investigation and sometimes prior to interviewing the employee, must decide if the incident should be handled through the formal disciplinary process.<sup>4</sup> When making this decision, information from the complainant, personal observation, employee's performance record, and other employee comments should all be taken into consideration. Even if the formal disciplinary process is used, the investigation can terminate with the issuance of a Counseling Form and no punitive action.
- B. A Counseling Form may be issued by any member of the employee's chain of command or by a supervisor not directly within the employee's chain of command.
- C. The following procedures, as well as any corrective action, will be adhered to when the Counseling Form is used:
  - 1. The supervisor issuing the form will do so as soon as possible after the initial complaint or observation.
  - 2. The supervisor will summarize the complaint or incident and the type of counseling provided on the form.
  - 3. While an employee signature is NOT required, he will be given an opportunity to review, sign, and receive the original counseling form after copies are made.

**IV. RETENTION AND DOCUMENTATION**

- A. As soon as possible after the completion of the form, the supervisor will meet with the employee and present him with the original form.
- B. A supervisor who initiates a Counseling Form for a subordinate will retain a copy for his records and will maintain it in a safe and secure manner.<sup>5</sup> If the member counseled reports to another supervisor, a copy will be forwarded to the affected supervisor by the initiating supervisor. After a period of one (1) year, the Counseling Form shall be destroyed.
- C. A copy of the Counseling Form will be forwarded to the Bureau Commander for review and then placed in the bureau or divisional files for a period of one (1) year, after which the form shall be destroyed. The Bureau Commander will maintain his copy in a safe and secure manner.<sup>6</sup>
- D. Supervisors will document all Counseling Forms received during an employee's rating period in the employee's annual evaluation. After the annual evaluation, the forms may be destroyed.

**V. CANCELLATION**

This General Order will cancel and replace General Order 99-28, ADM-26, Counseling Form, dated December 16, 1988.

AUTHORITY:



G. Wayne Livesay  
Chief of Police

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<sup>4</sup> CALEA 26.1.5

<sup>5</sup> CALEA 52.1.10

<sup>6</sup> CALEA 52.1.10