

Annapolis Police Department



GENERAL ORDER

Number: M.2

**Issue Date: September
2013**

TO: All Personnel

SUBJECT: Discrimination/Harassment

PURPOSE

The purpose of this General Order is to prohibit discrimination and harassment in any form, as well as to provide a procedure for seeking relief from prohibited conduct.

POLICY

It shall be the policy of the Annapolis Police Department that members will not tolerate, participate in, or condone discrimination or harassment in any form.

DEFINITIONS

1. **Discrimination** - any action or activity that unlawfully or unjustly results in unequal treatment of persons or groups based on age, color, national origin, race, ethnic group, religion, sex or sexual orientation.
2. **Harassment** - A form of discrimination in which a person(s) or group(s) exhibits a persistent pattern of unwelcome conduct toward a person(s) or group(s) based on age, color, national origin, race, ethnic group, religion, sex or sexual orientation. Conduct may be harassment when
 - A. The conduct is not welcomed or unsolicited and the complainant regards the conduct as undesirable or offensive. It may include:
 1. Verbal - Disparaging terms used to degrade a person(s) or group(s) based on age, color, national origin, race, ethnic group, sex, religion or sexual orientation. Such terms may include slurs, insults, innuendos, suggestive comments, jokes, propositions, or threats.
 2. Non-verbal - suggestive objects or pictures, graphic commentaries, leering, or suggestive or insulting sounds or gestures, etc.

3. Physical - including touching, pinching, brushing the body, assault, sexual assault, etc.
- B. Submission to such conduct is either explicitly or implicitly a term or condition of a person's employment or income.
- C. Submission to, or rejection of, such conduct by a person is a basis for career or employment decisions affecting any member of the department.
- D. Such conduct has the purpose or effect of unreasonably interfering with an individual's performance or creating an intimidating, hostile, or offensive working environment.

I. Procedure For Complaints

A. Members' Responsibilities

1. Citizen Complaints

Members of the department shall refer all harassment/discrimination complaints from citizens to a supervisor or to the Professional Standards Director.

2. Department Sworn Officer and Civilian Employee Complaints

a. Members encountering harassment or discrimination are strongly encouraged to notify the offender that those actions are not welcome and offensive, documenting all such incidents. If the offended member feels uncomfortable approaching the offender, or if the offensive behavior persists after the initial notification, the offended member should contact any supervisor or the Professional Standards Director.

b. This policy does not prevent any employee or citizen from filing a complaint or grievance with an outside agency.

3. There shall be no retaliation against any employee or citizen for filing a harassment or discrimination complaint, or assisting, testifying, or participating in the investigation of such a complaint.

B. Supervisors' Responsibilities

1. The supervisor shall meet with the complainant, documenting the incident(s) on Form M.2 (Appendix A). The form will be forwarded to the Professional Standards Director.

2. All supervisors shall honor the complainant's request to remain anonymous when possible. They shall submit the name and address of an anonymous complainant in strictest confidence to the Professional Standards Director for

its confidential file, who will assign a case number as an identifier of the complaint.

3. The supervisor shall immediately notify the Professional Standards Director and obtain a case number.

C. The Professional Standards Director shall:

1. Assign the case to the Internal Affairs Section for investigation. All investigations will adhere to the Law Enforcement Officer's Bill of Rights (LEOBR) and General Order G.1.
2. Confer with the appropriate commander to address any immediate administrative concerns,

D. The Internal Affairs Section shall investigate or oversee the investigation of any complaint alleging harassment or discrimination ensuring that such investigation follows the guidelines of LEOBR.

3. The Internal Affairs Section shall immediately notify the Chief of Police and the States Attorney's office if the complaint contains evidence of criminal activity.
4. Once the investigation is complete it will be forwarded for review to the Professional Standards Director. The procedure will be consistent with General Order G.1.
5. The Internal Affairs Section shall maintain statistics on harassment/discrimination complaints and provide an annual summary of these complaints to the Chief of Police and the city human relations board.

E. Anonymous complaints of discrimination and harassment will receive the same attention as would any other complaint.

Michael Pristoop
Chief of Police

References
1. Accreditation Standards 26.1.3, 26.1.4, 31.2.3, 52.1.1, 52.1.3, 52.1.5
2. Title VII, Civil Rights Act of 1964 (Amended 1972)
3. Age Discrimination in Employment Act of 1976 (Amended 1986)
4. Equal Employment Opportunity Act of 1972
5. EEOC Uniform Guidelines on Sexual Harassment
6. Law Enforcement Officer's Bill of Rights
7. General Order G.1 Investigations of Complaints

