



SPECIAL ORDER

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03/25/2024	03/25/2024	24-30

SUBJECT
PERFORMANCE EVALUATION RATINGS

REVISIONS Revisions are italicized	RESCINDS SPECIAL ORDER 22-46, PERFORMANCE EVALUATION RATINGS (401.1) <i>MLEAP 2.2.1 Evaluation</i> <i>System</i>	EXPIRATION DATE 03/25/2025	DISTRIBUTION B
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PURPOSE (a)

To outline guidelines and procedures for performance evaluations for sworn and non-sworn members of the Detroit Police Department (DPD).

POLICY (a)

The performance evaluation system is designed to provide a comprehensive method by which all employees of the DPD may be evaluated on their individual performance, as it relates to their positions and assignments, and applies only to the performance during the given rating period. An effective evaluation system serves both management and the individual member. It allows for fair and impartial personnel decisions, assists members in maintaining and improving performance, identifies “at risk behavior”, assures adherence to the law and observance of the constitutional rights of the citizenry, provides an established opportunity for personnel counseling, and provides a means of recognizing individual performance and identifying training needs. The performance evaluation is not a substitute for the daily interaction between employees and supervisors, rather, it is an additional opportunity for supervisors to train, instruct, and monitor subordinates under their control. A supervisor should commend excellent performance and correct unacceptable performance at the time it occurs.

PROCEDURE

Rating periods

1. Performance Evaluation Ratings shall be completed yearly for all members holding the rank of captain and commander. The rating periods shall be from July 1st, through June 30th;
2. Performance Evaluation Ratings shall be completed twice a year on all members from the rank of police officer through the rank of lieutenant. The rating periods shall be from May 1st through October 31st and November 1st through April 30th;
 - a. The May through October ratings shall be completed during the month of November and forwarded by December 10th to be reviewed per the distribution outline. Final distributions will be completed by December 20th;
 - b. The November through April ratings shall be completed during the month of May and forwarded by June 10th to be reviewed per the distribution outline. Final distributions will be completed by June 20th;

- c. Members of the rank of police officer shall have been confirmed on or before July 31st for the former period or January 31st for the latter period to be eligible to receive a performance evaluation rating for the period.
3. Non-sworn members are to be rated annually. The evaluation shall be completed on the member's anniversary date of hire or transfer or, if promoted, on the member's anniversary date of promotion.

Rating Forms

1. Police officers shall be rated on Performance Evaluation Rating - Police Officer, (DPD198-A). Performance evaluation forms shall be completed in triplicate. Each rater shall not make out separate evaluation forms. Instead, the completion of the form will represent the combined thinking of all raters. All raters shall sign all copies of the Performance Evaluation Rating. The Performance Evaluation Report shall be reviewed and signed by the rater's supervisor;
2. All members holding the rank of investigator, detective, sergeant, and lieutenant shall be rated on the Performance Evaluation Rating - Ranks of Lieutenant, Sergeant, Investigator and Detective (DPD198). Performance evaluation forms shall be completed in triplicate. Each rater shall not make out separate evaluation forms. Instead, the completion of the form will represent the combined thinking of all raters. All raters shall sign all copies of the Performance Evaluation Rating;
3. Captains and commanders shall be rated on the Performance Appraisal form. The forms are available on the DPD-Net webpage under forms;
4. Civilian employees shall be rated online utilizing the Employee Performance Evaluation provided by the Office of Talent Development and Performance Management – City of Detroit Human Resources.

Scoring - Police Officer, Investigator, Detective, Sergeant, and Lieutenant (c.)

The scoring for each category for the purpose of rating members holding the rank of police officer, investigator, detective, sergeant, and lieutenant on the appropriate Performance Evaluation Rating form will be based on a nine point system as follows: **1.0 and 1.5** will be defined as **Inadequate** - Seldom if ever displays this characteristic; **2.0** will be defined as **Weak** - Occasionally displays this characteristic; **2.5, 3.0 and 3.5** will be defined as **Average** - Usually displays this characteristic; **4.0** will be defined as **Good** - Displays this characteristic more than the average; **4.5 and 5.0** will be defined as **Outstanding** - Always displays this characteristic.

All scores below 2.0 and above 4.0 shall be supported with in depth documentation.

Rating Traits (f)

The following issues shall be considered when providing a rating for all Department employees:

Civil Rights Integrity: (f)

Raters shall consider whether the member (sworn and non-sworn) enforces the laws with impartiality and respects the rights of individual/community members to be free from discrimination; harassment; unlawful detention and arrest; unreasonable searches and seizures; and excessive force. Consideration shall be given to whether the member respects the rights of due process; equal protection of laws and other civil liberties, including fundamental constitutional guarantees such as the privilege against self-

incrimination, the right to counsel, rights of privacy, and the freedoms of expression, association and religion for all individuals. This trait shall be evaluated by the rater conducting the evaluation by performing the following:

- Conducting a review of any information contained in the Management Awareness System (MAS) for any performance indicators relative to whether the member was involved in any incidents that improperly infringed upon the civil rights of any citizen. The review shall be conducted to ascertain whether there were any incidents during the rating period involving violations of policy in regards to arrests, arrest warrants and affidavits, incidents of use of force, care and processing of detainees, and any incidents bearing on the honesty and integrity of the officer. The rater shall document the results of such review in the explanation section of the rating form for this specific category;
- This category is specifically designated on DPD Form 198-A for the purpose rating of police officers;
- For the purpose of rating lieutenants, sergeants, investigators, and detectives in this category, Part II, A.1, DPD Form 198 is to be utilized;
- For the purpose of rating captains and commanders, the Job Knowledge category contained in the Employee Work Performance Dimensions section of the performance appraisal form is to be utilized.

Effective Supervisory Oversight: *(f)*

Raters of supervisory personnel shall determine whether the supervisor effectively manages subordinates by reviewing circumstances of arrests, reviewing arrest warrants and affidavits, incidents of use of force, care and processing of detainees, and the performance of subordinates bearing on honesty and integrity for the purpose of identifying potentially at-risk behaviors. Consideration shall be given as to whether the supervisor provides appropriate training, direction and guidance to subordinates who display potentially at-risk behaviors. In addition, consideration shall be given as to whether the supervisor adequately participates in the counseling and evaluation of subordinates as well as whether the supervisor applies the standards contained in the performance evaluation guidelines fairly and uniformly. This trait shall be evaluated by the rater conducting the evaluation by performing the following:

- Determine if the supervisor conducted monthly reviews of the Management Awareness System's reports to evaluate individual officer activity and unit activity to identify at-risk behavior;
- The rater shall also review performance indicators contained in MAS for the subordinates of the supervisor that pertain to arrests, warrants, arraignments, the care and custody of detainees, and ascertain whether the supervisor adequately participated in the counseling and evaluation of those subordinates to address the conduct of subordinates that display potentially at-risk behaviors. In addition, the rater shall document the results of such review in the explanation section of the rating form for this specific category.
- For the purpose of rating lieutenants, sergeants, detectives, and investigators in this category, Part II, E.2, DPD Form 198 is to be utilized;

- For the purpose of rating captains and commanders, the Managing People category contained in the Employee Work Performance Dimensions section of the performance appraisal form is to be utilized. (f)

Rater Training (h)

The Training Center will provide basic training and periodic training updates to supervisors in the administration of performance evaluations for sworn members. The Office of Talent Development and Performance Management - City of Detroit Human Resources will provide basic training and periodic training updates to supervisors in the administration of performance evaluations for non-sworn members. (h)

Raters for Captains and Commanders

Captains and commanders shall be evaluated by executive members of a higher rank. The rater shall be an executive to whom the captain or commander reports.

Raters for Detectives, Investigators, Sergeants, and Lieutenants

1. Members shall be rated by at least two ranking members to ensure the integrity of the rating. The normal chain of command shall be utilized in determining the raters of detectives, investigators, sergeants, and lieutenants. As a general rule, the member's immediate supervisor and the next highest-ranking officer shall participate in the rating;
2. In no instance will members of equal rank rate each other except when a lieutenant is acting as a commanding officer of a command, with personnel of equal rank assigned;
3. To qualify as a rater, a ranking member should have supervised a member for three (3) months or more during this performance evaluation period. In the event two (2) commands are equally qualified to rate a member, the member's present command shall complete the Performance Evaluation Rating;
4. A member promoted during this performance evaluation period will be evaluated for the rank held the longest duration during this period. The rank for which the member is being rated shall be designated on the Performance Evaluation Rating even though this rank may be different from the member's current rank;
5. Each commanding officer will initiate a survey of members promoted, transferred, or assigned out during this performance evaluation period to determine those members who shall be included in the command's rating;
6. The member's present commanding officer, in consultation with the previous commanding officer, shall decide who shall rate those individual cases where unusual situations or extenuating circumstances may arise that are not covered by established guidelines. In the event that a conflict of opinion exists, the issue shall be decided by the commanding officer of Human Resources.

Raters for Police Officers

1. Police officers shall be rated by at least two ranking members to ensure the integrity of the rating. As a general rule, the rating shall be prepared by at least one lieutenant and one sergeant. In those instances where this is not appropriate, the member's immediate supervisor and the next highest-ranking officer shall participate in the rating;
2. To qualify as a rater, a ranking member should have supervised a member for three (3) months or more during this performance evaluation period. In the event

- two (2) commands are equally qualified to rate a member, the member's present command shall complete the Performance Evaluation Rating;
3. A member promoted during this performance evaluation period will be evaluated for the rank held the longest duration during this period. The rank for which the member is being rated shall be designated on the Performance Evaluation Rating even though this rank may be different from the member's current rank;
 4. Each commanding officer will initiate a survey of members promoted, transferred, or assigned out during this performance evaluation period to determine those members who shall be included in the command's rating;
 5. The member's present commanding officer, in consultation with the previous commanding officer, shall decide who shall rate those individual cases where unusual situations or extenuating circumstances may arise that are not covered by established guidelines. In the event that a conflict of opinion exists, the issue shall be decided by the commanding officer of Human Resources.

Raters for Non-Sworn Members

Non-sworn members shall be rated by an immediate supervisor.

Separated Personnel

It is not necessary to complete a performance evaluation rating for members who have retired or resigned during the rating period.

Retention

Evaluations become a permanent part of the employee's Department personnel file.

These files are retained by the Detroit Police Department's Human Resources Police Personnel for sworn members. Civilian files are maintained electronically and can be accessed by the Office of Talent Development and Performance Management – City of Detroit Human Resources and DPD Human Resources.

COUNSELING

General

1. Upon completion of the rating, members will be personally informed of their respective evaluations by the immediate supervisor who prepared the evaluation. Each category is to be discussed with the member, which is to include the level of performance expected and rating criteria. The supervisor shall also provide career counseling relative to such topics as advancement, specialization, or training appropriate for the member's position.
2. In those situations where members will be rated by supervisors of their previous assignment, the rater assigned to counsel the member will contact the member's present commanding officer to arrange an appropriate on-duty time and location to discuss the rating and counsel the member. Working leave days or scheduling overtime shall not be authorized for this purpose;
3. Members whose performances are deteriorating shall be counseled relevant to their shortcomings during the rating period and given an opportunity to improve. Non-probationary members shall be advised in writing whenever their performance is deemed to be unsatisfactory.

4. For the purpose of this order, unsatisfactory performance is indicated by either an "Inadequate" or "Weak" scoring as prescribed in scoring section of this Directive (Paragraph 3, Subparagraph 3).

Administrative Counseling Register

1. The Administrative Counseling Register (ACR) is utilized to provide documentary information to assist in the compilation of Performance Evaluation Ratings. ACR entries are not a form of discipline;
2. Executives, as well as commanding officers of districts and commands, shall maintain this register for all personnel whom they are directly responsible for rating. The register shall consist of a loose-leaf type binder with an 8 1/2" x 11" sheet of paper for each member of the command containing the member's name and badge number.

Entries

1. Executives, commanding officers and supervisors shall make entries in the Administrative Counseling Register upon observing an incident that could be utilized to substantiate either a high or low score in a particular category of the performance evaluation for members whom they are responsible for rating;
2. At the precinct level, the administrative lieutenant, shall be responsible for the Administrative Counseling Register's maintenance and shall retain custody of the register. Only an officer's immediate supervisor, administrative lieutenant or commanding officer shall have access to the register for the purpose of making entries;
3. When making an entry, the day, date and time of the incident shall be noted. Supervisors shall affix their signatures following the entries and submit the register to the administrative lieutenant for review. Supervisors shall counsel members regarding all entries. At the conclusion of the counseling session, the concerned member will date and sign under the counseling register entry to indicate that the member was personally informed of the entry. In those instances where the member refuses to sign, the supervisor shall make the notation "refused," then date and sign the entry;
4. Commanding officers shall review the entire register on a monthly basis and determine whether any member of their command is in need of additional counseling. When it is determined that additional corrective counseling is necessary, the commanding officer and/or the immediate supervisor shall discuss the entries with the officer and record it in the register;
5. After a member has received the Performance Evaluation Rating, in most cases the register shall be destroyed and a new register shall be instituted and utilized for the next performance evaluation period.

Retention

1. Old registers shall be retained until the official period for performance evaluation appeal has expired or any disciplinary action appeal has been exhausted;
2. In the event an officer transfers, the file shall be retained by the officer's former command if that command will be responsible for compiling the officer's Performance Evaluation Rating. If the command to which the officer is transferring will be responsible for compiling the Performance Evaluation Rating, the register at the officer's former place of assignment shall be destroyed, if no performance

evaluation or disciplinary action appeal is pending, when the transfer takes effect. This register shall not be forwarded to the officer's new place of assignment. The officer's new place of assignment shall include the officer in its existing register.

DISTRIBUTION

1. Performance Evaluation Ratings for police officers, detectives, investigators, sergeants, and lieutenants shall be completed in triplicate. Upon completion of the performance Evaluation Ratings, they shall be forwarded through channels to the appropriate deputy chief. Included with these ratings shall be a summary report in triplicate prepared on Inter-Office Memorandum, (DPD568), containing the name and rating of each member in the command. This list shall be arranged by rank with the highest rated member at the top.
2. Performance Appraisal forms for captains and commanders shall be forwarded to Human Resources upon completion.
3. Performance evaluation for civilian staff are completed electronically. Upon completion of the performance evaluation, the form shall be submitted electronically to the Office of Talent Development and Performance Management – City of Detroit Human Resources. Supervisors shall maintain a copy.

Member's Review and Acknowledgment

1. Upon completion of the review, the deputy chief shall return the Performance Evaluation Ratings for police officers, detectives, investigators, sergeants, and lieutenants and the summary to the commanding officer;
2. The commanding officer shall ensure that the evaluated police officers, detectives, investigators, sergeants, and lieutenants are personally informed of their respective evaluations by one of the supervisors who participated in the evaluation. The member being rated will sign the original and second copy in the space indicated. The third copy is then given to the member for personal use. The member shall be given the opportunity to sign and make written comments to supplement the completed performance evaluation report;
3. At the end of the rating period for captains and commanders, the supervisor conducting the evaluation will meet and discuss the ratings with the member. The member will sign or initial each page to indicate that they have been shown the ratings. The member has the right to attach a statement in writing to supplement the completed evaluation report;
4. At the end of the rating period for non-sworn members, the immediate supervisor who participated in the rating of the member shall meet and discuss the ratings with the member. The member being rated will be provided a copy of the completed form. Members are to be permitted to make comments on the form.

Distribution of Copies

1. The signed original of the Performance Evaluation Ratings for police officers, detectives, investigators, sergeants, and lieutenants shall be placed in the member's command file. A copy of the report shall be filed at the command;
2. The signed copy of the Performance Evaluation Rating for police officers, detectives, investigators, sergeants, and lieutenants and the second copy of the summary report shall be forwarded directly to the commanding officer of Human Resources with the indication that all members of the command have been rated;

3. Completed Performance Appraisal forms for commanders and captains shall be forwarded to the director of Human Resources. A copy shall be placed in the member's command file. A copy of the report shall be filed at the command.

APPEAL PROCEDURE

General

1. Any police officer, investigator, detective, sergeant, or lieutenant who wishes to appeal a Performance Evaluation Rating shall make a written request to the commanding officer within thirty (30) days of receiving the third copy of the evaluation. The member shall identify each trait that is being appealed and cite a brief basis for appealing that rating. The commanding officer shall read and forward two (2) copies of the request to the commanding officer of Human Resources. Human Resources will convene the Performance Evaluation Appeal Board to hear the matter within sixty (60) days of receipt. Additionally, Human Resources will provide notification of receipt of the Performance Evaluation Rating appeal to the requesting member confirming receipt of the appeal request within a specified time after receiving it.
2. Any commander or captain who disputes the ratings they received shall submit a letter of appeal to the Chief of Police, through channels. The Chief of Police shall review all documents and conduct further investigation, if needed, and issue a decision which shall be final;
3. Non-sworn members who wish to appeal a rating shall adhere to the established policy of the City of Detroit.

Performance Evaluation Appeal Board

1. A Performance Evaluation Appeal Board shall be convened by Human Resources to hear an appeal of a performance evaluation of a member with the rank of police officer, investigator, detective, sergeant, or lieutenant;
2. The board shall consist of two (2) members, the commanding officer of Human Resources, who will act as chairperson and another member of the rank of captain. Present at the hearing will be the member's commanding officer, two rating supervisors, and the member submitting the appeal. Upon request the member may have representation at the hearing in accordance with the member's applicable bargaining agreement;
3. Upon completion of the hearing the commanding officer of Human Resources shall prepare a complete report including personal recommendations. This report will be forwarded through channels to the Chief of Police for review and then returned to the commanding officer of Human Resources for final disposition. At this hearing, the rating supervisor is in an adversary relationship and must be prepared to rebut the appellant's allegations and defend the rating given.

JAMES E. WHITE
Chief of Police

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