

**RIVERSIDE POLICE DEPARTMENT  
PERSONNEL COMPLAINT POLICY 1009  
ADDED SUBSECTION 1009.20**

**1009.20 EXPEDITED DISCIPLINE RESOLUTION (OPTIONAL PROCESS)**

The Department recognizes that not all misconduct requires the same level of investigation. In certain cases, the expedited discipline process provides a voluntary option for an employee to accept responsibility for misconduct and resolve the matter more quickly, reducing stress on the employee, conserving investigative resources, and maintaining fairness, transparency, and accountability.

This process remains fully compliant with the Peace Officer Bill of Rights (POBR), applicable sections of the Government Code and Penal Code, Commission on POST reporting obligations, the Memorandum of Understanding (MOU), and oversight by the Community Police Review Commission (CPRC).

**10.20.1 – Eligibility for Expedited Discipline**

Expedited discipline may be offered only when:

1. The alleged misconduct does not involve:
  - “Serious misconduct” as defined in Penal Code §13510.8(b);
  - Conduct that may result in termination, demotion, or POST decertification;
  - Criminal conduct;
  - Repeated or aggravated misconduct likely to result in significant discipline.
2. The facts are reasonably clear based on available evidence (BWC, reports, etc.).
3. The employee is willing to admit responsibility voluntarily and knowingly.
4. A multi-level vetting process confirms eligibility, including review by:
  - Internal Affairs,
  - Internal Affairs Lieutenant and Support Services Captain,
  - The subject employee’s Division Commander,
  - The appropriate Deputy Chief.

**1009.19.2 – Offer of Expedited Discipline**

A written offer may be presented to the employee only after Deputy Chief approval. The offer shall include:

- A summary of the incident as known by the department at that time and policies potentially violated.
- The proposed discipline (consistent with what would be reasonably imposed after a full investigation).
- A written advisement of the employee’s rights under POBR, pre-discipline *Skelly* meeting, the MOU, and all administrative appeal processes.
- Notice that acceptance is strictly voluntary and requires an admission of responsibility and waiver of appeal rights.
- Notice that the employee may consult with union representation and/or legal counsel before deciding.
- Notice that POST may separately review any sustained misconduct under Penal Code §§13510.8–13510.9.

The employee shall have seven (7) business days to accept or decline the offer.

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**1009.19.3 – Effect of Declining an Expedited Discipline Offer**

**(a) No Adverse Consequence for Declining**

Declining an expedited discipline offer is a protected right. The Department shall not impose, recommend, or threaten a higher level of discipline solely because the employee declines expedited discipline. Declining the offer shall not constitute misconduct, lack of cooperation, refusal to accept responsibility, or otherwise be treated as an aggravating factor for discipline. The case shall proceed through the standard investigative and disciplinary process without prejudice.

**(b) Department Not Bound to Initial Proposed Discipline**

An expedited offer is a conditional settlement proposal. It is not binding on the Department if the employee declines.

If the matter proceeds to a full investigation, the Department may impose a different level of discipline, higher or lower, based on:

- Evidence, statements, and any other facts collected during the full investigation,
- Aggravating or mitigating factors,
- Employee work history,
- Classification of misconduct,
- POST reporting requirements, and
- Applicable discipline standards.

**(c) Inadmissibility of the Offer**

Expedited discipline offers, discussions, negotiations, and draft agreements are confidential settlement communications consistent with Evidence Codes §§1152 and 1154.

Therefore:

- No party may cite, reference, or introduce the initial offer to prove liability, fault, inconsistency, retaliation, disparate treatment, past practice, or precedent.
- The offer cannot be used in any grievance, arbitration, pre-discipline *Skelly* meeting, CPRC proceeding, appeal, or other legal action.
- Expedited discipline offers are not precedent, do not establish past practice, and may not be used for comparison in other matters.
- The offer and related communications are inadmissible for all purposes except determining whether an expedited agreement exists.

This protection applies equally to the Department and the employee.

**d) Transparency and Labor Expectations**

This section establishes mutual expectations for the Department and employees. The Department shall ensure:

- Full transparency about the expedited discipline option;
- No penalty for choosing a full investigation;
- All disciplinary decisions after a full investigation are based solely on the merits.

**1009.19.4 – Documentation and CPRC Notification**

Where an expedited discipline agreement is reached:

- The Division Commander handling the discipline case shall prepare a memorandum summarizing the misconduct, the employee's admission, and that corrective action has been taken. That complaint, discipline agreement, and all relevant information will be retained by the department through its normal practices.

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- The Support Services Division Commander or Internal Affairs Bureau Commander will create a separate memorandum to the CPRC documenting that the complaint investigation was resolved through the expedited discipline process for awareness and oversight, compliant with Section 1009.14 (a-e).