Peace Officer Standards and Training Council 2013 Disciplinary Action Report

In 2013 the POST Council administered the following disciplinary sanctions during four regularly scheduled quarterly council meetings:

New Cases Reviewed Sanctions Issued: Revocations issued 7 Suspension of four (4) years issued 0 Suspension of three and one half (3 1/2) years issued 1 Suspension of three (3) years issued 6 Suspension of two (2) years issued 4 Suspension of one and one half (1 1/2) years issued 2 Suspension of one (1) year issued 11 Suspension of nine (9 mo) months issued 0 Suspension of six (6 mo) months issued 0 Suspension of three (3 mo) months issued 0 Indefinite suspension 1 Letter of caution issued 2 No sanction issued 2 No sanction issued 0 Compliance With POST Recommendations: Administrative Law Judge rulings accepted as recommended 1 Administrative Law Judge rulings recommended 1 Hearing waiver accepted as recommended 21 (84%) Hearing waiver recommendation rejected 4 (16%) Order of Default accepted as recommended 10 (91%) Order of Default recommendation rejected 1 (99%) Council voted for greater sanctio	<u>Cases Considered:</u>	
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Certified Correctional Officers sanctioned 11 Certified Special Function Officers sanctioned 3	Certifications Sanctioned:	
Certified Special Function Officers sanctioned 3	Certified Law Enforcement Officers sanctioned	24
·	Certified Correctional Officers sanctioned	11
Certified Dispatchers sanctioned 0	Certified Special Function Officers sanctioned	3
	Certified Dispatchers sanctioned	0

Note: officers with dual certification (LEO & Corrections) are included in the LEO numbers above

Cases Closed:

2011 cases closed	3
2012 cases closed	17
2013 cases closed	18

Cases Related to Alcohol or Drug Use

Primary alcohol related offenses	7 (18%)
Alcohol secondary contributor	4 (10%)
Primary prescription drug offense	2 (5%)
Prescription drug secondary contributor	0
Primary controlled substance (street drug) offense	2 (5%)
Controlled substance secondary contributor	0

Definition: Primary offense means the consumption of alcohol or drugs was the primary cause of the offense-as in DUI or possession of controlled substance. Secondary contributor means alcohol or drugs were a factor in the case but not the primary cause-as in a domestic violence assault where the subject had consumed alcohol or was intoxicated.

Incidents of Misconduct Sanctioned:

Driving under the influence	7
Theft	5
BCI/UCJIS violation	3
Electronic communication harassment	3
Assault	2
Disorderly conduct	2
Domestic violence assault	2
False reports/Falsification of records	2
Lying under Garrity	2
Misuse of a prescription drug	2
Providing false information to obtain certified status	2
Sexual conduct on-duty	2
Abuse of psychotoxic chemical solvents	1
Bribery	1
Burglary	1
Child abuse	1
Criminal mischief	1
Criminal trespass	1
Cruelty to animals	1
Domestic violence in the presence of a child	1
Intoxication	1
Open container of alcohol in a vehicle	1
Possession of a controlled substance	1
Retail theft	1
Tampering with evidence	1
Unfit for duty	1
Wildlife violations	1

Note: When comparing these statistics to previous years, it must be noted that Utah Code 53-6-211 regulating the suspension or revocation of peace officer certification was significantly changed by the 2010 legislature. This legislative change necessitated a change in the administrative rules and the disciplinary guidelines utilized by the POST Council in determining sanctions for peace officer misconduct; therefore, care must be taken in making any inference or attributing any trends to these statistics.