

## Utah POST Council Disciplinary Action 2011-2015

	2011	2012	2013	2014	2015	Total
<b>Cases Considered</b>	41	40	38	54	42	215

### Sanctions Issued

Revocation	7	7	7	5	3	29
Suspension 4 years	4	1	0	2	1	8
Suspension 3.5 years	0	1	1	1	0	3
Suspension 3 years	8	5	6	4	5	28
Suspension 2.5 years	1	0	0	2	2	5
Suspension 2 years	7	4	4	11	5	31
Suspension 18 months	2	4	2	5	3	16
Suspension 15 months	0	0	0	1	0	1
Suspension 1 year	7	8	11	6	10	42
Suspension 9 months	0	1	0	0	2	3
Suspension 6 months	1	0	4	2	3	10
Suspension 3 months	0	2	0	1	1	4
Indefinite Suspension	1	1	1	1		4
Letter of Caution	2	6	2	11	7	28
No Action	1	0	0	2	0	3
<b>Total Suspensions</b>	<b>31</b>	<b>27</b>	<b>29</b>	<b>36</b>	<b>32</b>	

### Compliance with POST Recommendations

ALJ rulings accepted as recommended	1 (100%)	4 (100%)	1 (100%)	3 (75%)	1 (100%)	10 (91%)
ALJ rulings recommendation rejected	0	0	0	1 (25%)	0	1 (9%)
Hearing Waiver accepted as recommended	26 (81.25%)	25 (86.2%)	21 (84%)	35 (83%)	28 (76%)	135 (82%)
Hearing Waiver recommendation rejected	6 (18.75%)	4 (13.79%)	4 (16%)	7 (16%)	9 (24%)	30 (22%)
Order of default accepted as recommended	8 (100%)	7 (100%)	10 (91%)	8 (100%)	3 (75%)	36 (95%)
Order of default recommendation rejected	0	0	1 (9%)	0 (0%)	1 (25%)	2 (5%)
Council voted for greater sanction than recommended	4 (10%)	1 (2%)	2 (5%)	1 (2%)	2 (5%)	10 (5%)
Council voted for lesser sanction than recommended	2 (5%)	3 (8%)	3 (8%)	7 (12%)	7 (19%)	22 (10%)
<i>*Total cases accepted as recommended</i>	<i>35(85.37%)</i>	<i>36 (90%)</i>	<i>33 (87%)</i>	<i>46 (85%)</i>	<i>32 (76%)</i>	<i>182 (85%)</i>

### Certifications Sanctioned

Certified Law Enforcement Officers <sup>(2)</sup>	27	26	24	39	30	146
Certified Correctional Officers	12	14	11	9	11	57
Certified Special Function Officers	2	0	3	4	0	9
Certified Dispatchers	0	0	0	2	1	3

### Cases Closed By Year

2009	2					2
2010	20	4				24
2011	19	15	3			37
2012		21	17	5		43
2013		21	18	29	8	76
2014				20	22	42
2015					12	12

### Cases Related to Alcohol or Drug Use <sup>(3)</sup>

Primary alcohol related offense <sup>(4)</sup>	12	8	7	8	10 (24%)	45 (21%)
Alcohol secondary contributor	2	4	4	2	0	12 (5%)
Primary prescription drug related offense	4	3	2	2	3 (7%)	14 (7%)
Prescription drug secondary contributor	1	0	0	1	2 (5%)	4 (2%)
Primary controlled substance (street drug) offense	1	2	2	2	2 (5%)	9 (4%)
Controlled substance secondary contributor	0	0	0	0	0	0

**Incidents of Misconduct Presented to the Council**

Abuse of psycotoxic chemical solvents	1		1			2
Assault	3	1	2	3	3	12
assault on a peace officer	0	0	0	1		1
BCI/UCJIS Violation		2	3	5	1	11
Big game violations	1	3				4
Bribery			1			1
Burglary			1			1
Child abuse		1	1			2
Child sex abuse						0
Criminal mischief	1	2	1	2	1	7
Criminal trespass	1		1	2		4
Cruelty to animals			1			1
Custodial sexual misconduct	1			1		2
Discharge of a firearm within 600 feet of livestock					1	1
Disorderly Conduct	2	5	2	3	5	17
Distributing harmful material to a minor				1		1
Distribution of controlled substance		1				1
Domestic violence assault	2	6	2	7	1	18
Domestic violence in the presence of a child	2	4	1	5	3	15
Driving under the influence (DUI)	9	7	7	7	9	39
Driving on Suspension				1		1
Electronic communication harassment	1	1	3	2		7
False information to obtain certification	2	1	2	5	7	17
Fraudulent Prescription	1			1		2
False reports/Falsification or records	1	1	2	2	3	9
Forcible sex abuse						0
Gambling				1		1
Harassment						0
Illegal transportation of alcohol						0
Impersonating a peace officer				1		1
Insurance Fraud						0
Interruption of a communication device		1			1	2
Intoxication		2	1	2	1	6
Introducing contraband into a correctional facility						0
Issuing a bad check					1	1
Leaving the scene of an accident	2	1		1		4
Lewdness involving a child	1	1				2
Littering					1	1
Lying under Garrity	6	6	2	2	2	18
Misuse of a prescription drug			2		3	5
Misuse of public funds	1					1
Obstruction of justice/Interfering with a police officer		2		1		3
Official Misconduct				2		2
Open container of alcohol in a vehicle			1	2	2	5
Possession of a controlled substance	2	3	1	1	2	9
Exploiting prostitution/Soliciting a prostitute				1		1
Providing alcohol to a minor					1	1
Reckless Driving	1			1		2
Retail Theft				1	1	2
Sexual conduct on-duty	4		2	6	1	13
Sexual Harassment						0
Stalking	1					1
Tampering with evidence			1			1
Witness tampering						0
Theft / Includes Retail Theft 2010-2013	4	1	6	3	1	15
Theft of services		1				1
Threatening with a dangerous weapon						0
Unfit for Duty (physical or mental disability, addiction)	1	1	1	1		4
Unlawful detention		1		1		2
Unlawful sexual conduct						0
Unlawful transportation of alcohol					1	1

Vicious animal at large		1				1
Wildlife violations			1	3	1	5

- (1) - Automatic revocation for felony conviction removed from statute in 2010*
- (2) - Officer with dual certification (LEO & BCO) are included in the LEO numbers*
- (3) - Statistics related to the number of cases involving the use of alcohol or drugs were not collected prior to 2011*
- (4) - 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*

*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 Utah 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.*