

## 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:

### **Cases Considered:**

New Cases Reviewed	38
--------------------	----

### **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 and one half (2 1/2) years issued	0
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	4
Suspension of three (3 mo) months issued	0
Indefinite suspension	1
Letter of caution issued	2
No sanction issued	0

### **Compliance With POST Recommendations:**

Administrative Law Judge rulings accepted as recommended	1 (100%)
Administrative Law Judge rulings recommendation rejected	0
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 (9%)
Council voted for greater sanction	2 (5%)
Council voted for lesser sanction	3 (8%)
<i>*Total cases accepted as recommended</i>	<i>33 (87%)</i>

### **Certifications Sanctioned:**

Certified Law Enforcement Officers sanctioned	24
Certified Correctional Officers sanctioned	11
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.*