

Peace Officer Standards and Training 2014 Investigations Action Report

POST Investigations Activity

In 2014 POST Investigations conducted the following investigative activity:

Total Complaints Reviewed	157
Total New Cases Opened	94
Total Cases Presented to POST Council	54
2012 cases	5
2013 cases	29
2014 cases	20
Total Cases Closed With No-Action Following Investigation	22
2012 cases	2
2013 cases	13
2014 cases	7
Total Cases Closed by Voluntary Relinquishment	16

POST Council Activity

In 2014 the POST Council administered the following disciplinary sanctions during four regularly scheduled quarterly council meetings:

New Cases Reviewed 54

Sanctions Issued:

Revocations issued	5
Suspension of four (4) years issued	2
Suspension of three and one half (3 1/2) years issued	1
Suspension of three (3) years issued	4
Suspension of two and one half (2 1/2) years issued	2
Suspension of two (2) years issued	11
Suspension of one and one half (1 1/2) years issued	5
Suspension of 15 months	1
Suspension of one (1) year issued	6
Suspension of nine (9 mo) months issued	0
Suspension of six (6 mo) months issued	2
Suspension of three (3 mo) months issued	1
Indefinite suspension	1
Letter of caution issued	11
No sanction issued	2

Compliance With POST Recommendations:

Administrative Law Judge rulings accepted as recommended	3 (75%)
Administrative Law Judge rulings recommendation rejected	1 (25%)
Hearing waiver accepted as recommended	35 (83%)
Hearing waiver recommendation rejected	7 (16%)
Order of Default accepted as recommended	8 (100%)

Order of Default recommendation rejected	0 (0%)
Total cases where Council voted for greater sanction	1 (2%)
Total cases Where Council voted for lesser sanction	7 (12%)
<i>*Total cases accepted as recommended</i>	46 (85%)

Certifications Sanctioned:

Certified Law Enforcement Officers sanctioned	39
Certified Correctional Officers sanctioned	9
Certified Special Function Officers sanctioned	4
Certified Dispatchers sanctioned	2

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

Cases Related to Alcohol or Drug Use:

Primary alcohol related offenses	8 (15%)
Alcohol secondary contributor	2 (4%)
Primary prescription drug offense	2 (4%)
Prescription drug secondary contributor	1 (2%)
Primary controlled substance (street drug) offense	2 (4%)
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 Presented to the Council:

Driving under the influence	7
Domestic violence assault	7
Sexual conduct on-duty	6
BCI/UCJIS violation	5
Providing false information to obtain certified status	5
Domestic violence in the presence of a child	5
Theft	3
Assault	3
Disorderly conduct	3
Wildlife violations	3
Electronic communication harassment	2
False reports/Falsification of records	2
Lying under Garrity	2
Criminal mischief	2
Criminal trespass	2
Impersonating a peace officer	2
Intoxication	2
Official misconduct	2
Open container of alcohol in a vehicle	2
Assault on a Peace Officer	1
Custodial sexual misconduct	1

Distributing harmful material to a minor	1
Driving on suspension	1
False Prescription	1
Gambling	1
Leaving the scene of an accident	1
Obstruction of Justice	1
Possession of a controlled substance	1
Prostitution, Exploiting or Soliciting	1
Reckless driving	1
Retail theft	1
Unfit for duty	1
Unlawful detention	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.