

Peace Officer Standards and Training 2015 Investigations Action Report

POST Investigations Activity

In 2015 POST Investigations conducted the following investigative activity:

Total Complaints Reviewed		128
Total New Cases Opened		83
Total Cases Presented to POST Council		42
2013 cases	8	
2014 cases	22	
2015 cases	12	
Total Cases Closed With No-Action Following Investigation		16
2013 cases	2	
2014 cases	10	
2015 cases	4	
Total Cases Closed by Voluntary Relinquishment		17

POST Council Activity

In 2015 the POST Council administered the following disciplinary sanctions during four regularly scheduled quarterly council meetings:

New Cases Reviewed 42

Sanctions Issued:

Revocations issued	3
Suspension of four (4) years issued	1
Suspension of three and one half (3 1/2) years issued	0
Suspension of three (3) years issued	5
Suspension of two and one half (2 1/2) years issued	2
Suspension of two (2) years issued	5
Suspension of one and one half (1 1/2) years issued	3
Suspension of 15 months	0
Suspension of one (1) year issued	10
Suspension of nine (9 mo) months issued	2
Suspension of six (6 mo) months issued	3
Suspension of three (3 mo) months issued	1
Indefinite suspension	0
Letter of caution issued	7
No sanction issued	0

Compliance With POST Recommendations:

Administrative Law Judge rulings accepted as recommended	1 (100%)
Administrative Law Judge rulings recommendation rejected	0 (0%)
Hearing waiver accepted as recommended	28 (76%)
Hearing waiver recommendation rejected	9 (24%)
Order of Default accepted as recommended	3 (75%)
Order of Default recommendation rejected	1 (25%)
Total cases where Council voted for greater sanction	2 (5%)
Total cases Where Council voted for lesser sanction	7 (19%)
<i>*Total cases accepted as recommended</i>	32 (76%)

Certifications Sanctioned:

Certified Law Enforcement Officers sanctioned	30
Certified Correctional Officers sanctioned	11
Certified Special Function Officers sanctioned	0
Certified Dispatchers sanctioned	1

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	10 (24%)
Alcohol secondary contributor	0 (0%)
Primary prescription drug offense	3 (7%)
Prescription drug secondary contributor	2 (5%)
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 Presented to the Council:

Driving under the influence	9
Providing false information to obtain certified status	7
Disorderly conduct	5
Assault	3
Domestic violence in the presence of a child	3
False reports/Falsification of records	3
Misuse of a prescription drug	3
Theft	3
BCI/UCJIS violation	2
Lying under Garrity	2
Open container of alcohol in a vehicle	2
Possession of a controlled substance	2
Criminal mischief	1
Discharge of a firearm within 600 feet of livestock	1
Domestic violence assault	1
Interruption of a communication device	1
Intoxication	1
Issuing a bad check	1
Littering	1
Providing alcohol to a minor	1
Retail theft	1
Sexual conduct on-duty	1
Unlawful transportation of alcohol	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.