

# Peace Officer Standards and Training Council September 2016 Disciplinary Case Presentation

*\*The following is a synopsis of cases heard and decided by the POST Council on September 21, 2016*

<b>Cases Presented</b>	<b>28</b>
Law Enforcement Officers	20
Corrections Officers	8
Special Functions Officers	0
Dispatcher	0
<b>Sanctions Issued by Council</b>	
Revocation	6
4 Year Suspension	2
3 Year-6 Month suspension	1
3 Year Suspension	2
2 Year Suspension	3
18 Month Suspension	2
1 Year Suspension	3
9 Month Suspension	1
3 Month Suspension	1
Letter of Caution	6
No Action	1
<b>POST Recommendation Status *</b>	
Recommendations Accepted	18 (64%)
Recommendations Rejected	10 (36%)
Hearing Waiver – Recommendation Accepted	14
Order of Default – Recommendation Accepted	4
ALJ Hearing – Recommendation Rejected	2
Hearing Waiver – Recommendation Rejected	5
Default Order – Recommendation Rejected	3
(Decrease sanction - 7, Increase sanction - 3)	
<b>Officers Appearing Before Council</b>	
Officers Appearing Before the Council	13 (46%)
Officers Represented by Legal Counsel	10 (36%)
<b>Years of Service</b>	
Average	9.32
Longest	29
Shortest	0
<b>Gender</b>	
Male	22
Female	6
<b>Cases with Alcohol or Drug Involvement</b>	
<b>Total Alcohol</b>	<b>5</b>
Alcohol Primary Contributor	4
Alcohol Secondary Contributor	1
<b>Total Prescription Drugs</b>	<b>1</b>
Prescription Drugs Secondary Contributor	1
<b>Total Controlled Substance</b>	<b>0</b>

**Sustained Allegations**

Assault	1
Assault on a Peace Officer	1
BCI/UCJIS Violation	1
Child Abuse	1
Contributing to the Delinquency of a Minor	1
Criminal Mischief	2
Criminal Trespass	2
Disorderly Conduct	4
Domestic Violence Assault	4
Domestic Violence in the Presence of a Child	3
DUI	2
False Information to Obtain Certification	3
Falsification of a Government Record	1
Interfering with a Legal Arrest	1
Intoxication	1
Lewdness	1
Lying Under Garrity	1
Misuse of Public Funds	1
Possession of a Controlled Substance	1
Soliciting Prostitution	2
Sexual Conduct on Duty	1
Theft	2
Unlawful Use of a Financial Card	1
Vicious Animal at Large	1

**Disciplinary Guideline Category**

Category A	5
Category B	3
Category C	6
Category D	6
Category E	4
Category F	4
Category G	0

**POST Adjudication Type**

Hearing Waiver	20
Administrative Law Judge Hearing	2
Order of Default	6

**Employing Agency Action**

No Action – Still Employed	1
Reprimanded – Still Employed	3
Suspended/Demoted – Still Employed	4
Terminated	7
Resigned or Retired	10
Not Employed	3

**Recommended Sanctions**

Revocation	4
4 Year Suspension	2
3 Year-6 Month Suspension	1
3 Year Suspension	2
2 Year-6 Month Suspension	5
2 Year Suspension	1
18 Month Suspension	2

1 Year Suspension	3
6 Month Suspension	1
3 Month Suspension	3
Letter of Caution	4
<b>Criminal Status</b>	
<b>No Criminal Action</b>	<b>10</b>
No Charges Filed	10
Charges Dismissed	0
<b>Convictions</b>	<b>17</b>
Class A Misdemeanor	2
Class B Misdemeanor	8
Class C Misdemeanor	5
Infraction	2
<b>Pending Criminal Adjudication</b>	<b>3</b>
<b>Letter of No Action Filed Since Last POST Council Meeting**</b>	<b>15</b>
<b>Voluntary Relinquishments Since Last POST Council Meeting</b>	<b>5</b>
Allegations related to Voluntary Relinquishment – Custodial Sexual Relations, Lying on POST Application, Misuse of Prescription Drugs, Sexual Conduct On-Duty, Lying Under Garrity, Unlawful Sexual Conduct with a Minor.	

*\*This section indicates whether the council accepted the sanction recommended by POST investigations or issued an alternate sanction. The section also indicates whether the case came before the Council as a result of an administrative law judge (ALJ) hearing, an individual signing a hearing waiver, or an individual failing to respond and a default order being issued.*

*\*\*Indicates the number of POST investigations closed since the last POST Council meeting which resulted in no action being taken against the individual's certification.*