

Daytona Beach Police Department

Michael J. Chitwood, Chief of Police

MEMORANDUM

TO: Sergeant Eric Ryan

FROM: Michael J. Chitwood, Chief of Police *MJC*

SUBJECT: Notice of Discipline: Suspension- Eight Day (96 hours)

DATE: June 5, 2013

Disciplinary History

03/14/11 Reprimand Violation of 3.1.13 – Chain of Command
 Chief of Police

Current Incident

On March 28, 2013 the Office of Professional standards completed a Level One Complaint Investigation (IA-1013-002) on you and Officer Matthew Gilson in reference to the voiding of a uniform traffic citation for a "confidential informant". During this incident you were in communication with the Clerk of the Court making a request for the citation to be canceled.

On May 15, 2013 you signed for and received a Notice of Proposed Discipline: Demotion relative to this incident. You were given an opportunity, at that time, to submit any comments and/or concerns to my office regarding this investigation by May 25, 2013. You submitted a memo requesting a meeting. A meeting was held and after that meeting I decided to change my decision from a demotion to an eight day (96 hour) suspension.

Rules Violated

Departmental Standards Directive 200.13 – Knowledge of Laws/Directives which states, "Every employee and member shall be required to establish and maintain a working knowledge of the Federal, State and local laws and ordinances that he/she is charged with enforcing. Every member and employee is expected to observe and obey laws and ordinances, and the rules, orders and directives of the department."

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Departmental Standards Directive 200.6 – Neglect of Duty which states, "Employees shall not engage in any conduct which constitutes neglect of duty or which is likely to adversely affect the discipline, good order or reputation of the department, including, but not limited to, conduct prohibited by this directive."

Departmental Standards Directive 200.122 – Unapproved Correspondence which states, "All official correspondence with any party outside the department shall be sent over the signature, or upon authority, of the Chief of Police."

Departmental Standards Directive 516.45/516.47 – Citation Disposition Procedures which states, "An officer wishing to void any citation shall follow the appropriate procedures. The Chief of Police and the Compstat Supervisor and Records Supervisor are the only persons authorized to void a citation with just cause."; Directive 516.47 which states, "At **NO** time will an officer or supervisor void a citation from the approved citation software program before it has been submitted to Records. **ALL** citations voids are to be done in accordance with this policy."

Penalty

For violating the aforementioned rules and regulations as specified in the **Rules Violated** Section herein, you are suspended without pay for eight (8) working days totaling 96 hours from employment with the Daytona Beach Police Department.

Appeal Procedures

Should you decide to appeal this decision you will be guided by the Grievance and Arbitration Procedures outlined in Article XII of the Teamsters Union Collective Bargaining Agreement with the City of Daytona Beach.

MJC/tm

100.2013.4933

Cc: Personnel File: Sgt. Eric Ryan
Captain Lance Blanchette
Jim Sexton, Human Resource Director