



Peace Officer Standards and Training



Office of Professional Responsibility

Integrity Bulletin

THE LINE WE CROSS

How is it we can put up a piece of plastic up with the words, "Police Line Do Not Cross" on it and the citizenry doesn't cross the line? But, when it comes to crossing the lines of socially acceptable mores, we feel like its OK?

There is no one answer for the latter question. One could probably blame it on "Life." Life happens and when it does, we make choices. And with the choices, come consequences. Sometimes those consequences are good and sometimes they hurt (lost career, lost family, lost friends, lost respect, and lost life).

It is interesting and sad to see poor choices in a Law Enforcement officer's career lead him down the path of hurt. Many academies ask officer cadets to write an autobiography describing their lives up to that point. It is very enlightening to read of their previous accomplishments in life ("...married the love of my dreams and have two wonderful baby girls") and to see how they feel about the great profession of law enforcement and the honor that comes with it, (...respect, integrity, courage.) It may also be enlightening to see what the cadet sees in the future, maybe two, three or ten years down the line. I doubt they would write, "...and then I lost my job, family and friends because I was sexting pictures of my nether region to an informant." or "...and my girls have been completely embarrassed because they now visit me on Father's Day in prison because I need that drug money more than the drug dealers."

When does the line get crossed? There are too many answers.

OPR Manager's Note

This "New Look" edition of the POST Integrity Bulletin looks at the self-imposed circumstances in which our POST certified professionals find themselves.

What causes, otherwise reasoned, rational and professional law enforcement officers, to do the stupid things they do?

Our continuing efforts to study acts of misconduct and come to a solution, have met with less than positive results.

Remember the words, "moral turpitude?" They are used in the legislation that allows for a uniform standard for individuals with prior drug use, and sets forth improved DUI standards, and acts related to juvenile conduct. We trust the information herein will bring attention on our profession's ability to deter official misconduct, improve the public perception of Idaho's law enforcement officers, and promote responsible, ethical discourse within your agency or department.



Case Studies

INSIDE STORY

The following incidents (we say “incidents” instead of “stories” because if they were not real, you may think they are just that, “stories”) are provided for your “enlightenment” and, quite honestly, your incredulous entertainment. You’ve heard the saying, “You can’t make this stuff up.” Well, we either say or hear it said on a daily basis.

These incidents were NOT ultimately entertaining for the officer experiencing the consequences that followed, but by sharing them with you, we hope to let you learn from the mistakes of others. If you can not do that, then maybe someday, you too will be featured here in the Integrity Bulletin...Don’t worry we will keep the names and agencies out of the story to protect (if possible) what’s left of your reputation.

“... you do things for a reason, whether you make a mistake...you still did it.”

IDAPA 91.04

- a. Engages in inappropriate sexual conduct while on duty.
- f. Engages in inappropriate relationship, sexual or otherwise, with a person who the officer knows or should have known is a victim, witness, defendant or informant in an ongoing investigation or adjudication.
- h. Unauthorized use or unlawful conversion of the property, equipment, or funds.

IDAPA 064:

02. Personal and Official Life. I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or my agency.

ON A BREAK

An internal affairs investigation was initiated at the detention facility after a fellow officer pointed out Officer X “hitting on” female inmates. Apparently, after Inmate Y was released, Officer X contacted her on Facebook to develop a relationship. On one occasion, Officer X requested she drive to the facility to meet him during a “perimeter check.” She then followed Officer X into the secured gymnasium (Government Property) making sure no one was in the building. Officer X then removed his utility belt and they then “wrestled” on the mats.

Not necessarily satisfied with that four month conquest, Officer X was sure to keep his options available. One former inmate said Officer X was always making sexually suggestive statements to her while she was incarcerated. Two days after her release, she began receiving text messages from someone she believed to be Officer X. After a few messages back and forth, she got “creeped out” ...and the fish got off the hook.

Officer X admitted to having a consensual sexual relationship with Inmate Y for several months after she was released from jail. He also admitted meeting with Inmate Y and allowing her access to a secured section of the facility for sex, all the while telling his supervisor he was “on a break” and using his own time. Officer X was terminated from the facility and ultimately signed a POST Decertification Stipulation, good for at least ten years.

Officer X had these profound words of wisdom to share during his interview:

“That was a mistake I made, it was all outside of work. I don’t do anything at work, I don’t use my job as a searching ground...I meet a lot of people...granted these last few ones have all been young...In [Inmate Y’s] status, I made a mistake and let it go to a sexual relationship, which I ended and it was something I shouldn’t have done. That was poor judgment and moral call on my behalf...I don’t regret things I have done because you do things for a reason, whether you make a mistake...you still did it...you had the intent to do it before you made it, because any intent you made, you first have a thought process of it, whether it’s a second or planned out, it’s still a thought process. And it’s one I made a mistake with.”

The HUSTLE

“LUCRATIVE” SIDE GIG

Yep, you’re right, being a cop in Idaho doesn’t pay much...So, maybe a side gig can help pay the bills, at least an honest one might.

Officer Smalltown decided to pull the side-gig option, but not with honest intent. He became an Idaho licensed insurance agent. But this insurance agent was going to make money the easy way. He submitted fictitious applications for home owners insurance policies (40 of them.) He was raking in those commissions in the five months of his short-lived insurance agent career, to the tune almost \$20,000.00.

But wait, when the parent company took a closer look at the booming success of their new agent, they noted the insurance applications had client signatures that were awfully similar in handwriting characteristics. Smalltown had been paid commissions and subsidies for completely bogus clients.

Smalltown tried to throw the investigators off track by claiming he received the client leads from another former insurance agent. Smalltown had obviously been scammed, or so that was what we were to believe. Further investigation revealed the “scammer” was actually identified as Smalltown using an email IP address assigned to his own company (a second side gig.)

Smalltown ultimately entered into a Consent Decree and admitted guilt to 40 violations of Idaho code 41-101016 (1) (h) “fraudulent, coercive or dishonest practices, or demonstrated incompetence, untrustworthiness or financial irresponsibility, or [to having been] a source of injury and loss to the public or others, in the conduct of business in this state or elsewhere.” Two other counts of insurance fraud were dismissed with prejudice, but his Idaho Insurance Producer License was revoked and he was fined \$5000.

Oh, and his POST law enforcement certifications were revoked after he gave up trying to convince the investigator he was a victim of the system and signed a stipulation to be decertified.

THE HUSTLE’S LEGAL STUFFS

POST Council’s Code of Ethics/Standards of Conduct, IDAPA Rule 11.11.01.064:

02. PERSONAL AND OFFICIAL LIFE

I will keep my private unsullied as an example to all and will behave in a manner that does not bring discredit to me or my agency...Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the law and the regulations of my department.

AND POST Council’s Code of Ethics/Additional Cause for Decertification, IDAPA Rule 11.11.01.091:

a. Engages in criminal conduct whether charged or not.

k. Refusal to respond or failure to respond truthfully to questions asked in relation to an investigation or legal proceeding.

WWW

LEGAL STUFFS

It appears Mr. Bored CO may have violated the following section of IDAPA rule 11.11.01.064 POST Council's Code of Ethics/Standards of Conduct:

.02 – ...Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the law and the regulations of my department.

It also appears he may have violated the following sections of IDAPA Rule 11.11.01.091, POST Council's Code of Ethics, Additional Cause for Decertification:

e. Engages in inappropriate sexual conduct while on duty.

h. Unauthorized use or unlawful conversion of the property, equipment, or funds of his agency

POSTING IS ALWAYS A GOOD IDEA

Back when Officer Dope used Facebook, the ABC Police Department initiated an internal affairs investigation after receiving information [Dope] was involved with illegal drug use. Upon notification of the inquiry, Dope immediately rendered his resignation and voluntarily signed a Stipulation for Decertification. What on earth could have led to this quick fall from grace? We'll tell ya.

Dope's "friend" didn't mind Dope using drugs with him even though he was a police officer, but what really burned the scorned friend's shorts was the fact that Dope was sexually involved with his fiancée. Where's the honor? Seriously! Darn those Facebook posts showing you partying with your arm around the girl. These rules seemed to be the best fit:

IDAPA 11.11.01.064 (02): Personal and Official Life- "I will keep my private life unsludged...."

IDAPA 11.11.01.091.04 (g): Engages in criminal conduct whether charged or not.



CHILLIN ON THE WWW

Bored CO had a bit of nasty addiction that seemed to fill the down time at the work place. While trying to fill the time, Bored CO started surfing the world wide web of destruction. Using a departmental computer, Bored CO began viewing and downloading pornography. Using the office printers, he printed pornographic images to take into the "facilities" to assist his self-gratification. Unfortunately, that darn printer malfunctioned and the time filling pleasure packages were discovered by a less-than-bored coworker. Bored CO quite honorably admitted he had been downloading the goods, as well as, pornographic videos, while on duty, for several months. And for emphasis, Bored CO admitted some of the images included underage participants (of course those images were not specifically searched.) Recognizing the folly of his ways, Bored CO signed a Stipulation for Decertification of his POST law enforcement certifications. In addition, Bored CO was just a youngster in the profession (less than two years), and yes, he had to pay back POST for the cost of his training.

IN THE NEWS

Many will apply, and many will lie

June 29, 2017 at 5:00 am |

By KEITH COUSINS

COEUR d'ALENE - Applications have poured in for 14 detention deputy positions at the expanding Kootenai County jail.

Most of them aren't very good.

"The biggest two issues are drug use and dishonesty," said Kootenai County Sheriff Ben Wolfinger. "You're coming to work at the Sheriff's Office; don't lie on your application."

OPR

The Office of Professional Responsibility (OPR) is an office within the Idaho Division of Peace Officer Standards and Training. OPR is staffed by OPR Manager Dan Smith, a former NCIS Special Agent, and eight contract investigators from throughout the State of Idaho. All of the investigators are former federal, state or local law enforcement officers. POST investigators endeavor to complete thorough, competent investigations to ensure the entire story is presented during the reporting of allegations against peace officers and others we certify. It is a mainstay of POST's mission to maintain an ethical and lawful law enforcement profession for the people of Idaho.

BACK PAGE INFORMATION

The Idaho Legislature formally established the Idaho Peace Officers Standards and Training Council (POST Council) for the purpose, among others, of setting requirements for employment, retention, and training of peace officers, including formulating standards of moral character, and other such matters as relate to the competence and reliability of peace officers. The POST Council also has the power to decertify peace officers upon findings that a peace officer is in violation of certain specified standards, including criminal offenses, or violation of any of the standards of conduct as established by the Council's Code of Ethics. Idaho Code also requires that when a peace officer resigns his employment or is terminated as a result of any disciplinary action, the employing law enforcement agency shall report the employment action to the POST Council within 15 days.

IDAPA 11, Title 11, Chapter 01

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