



IDAHO PEACE OFFICER STANDARDS AND TRAINING

Special Points of Interest

- Law Enforcement Code of Conduct
- Decertification Investigations
- The Rhubarb Patch



Photograph by CNN

LAW ENFORCEMENT CODE OF CONDUCT

■ *I shall conduct myself at all times in a manner that does not damage or have the likely result of damaging or bringing the public image, integrity, or reputation of my department or myself into discredit or disrepute.*

■ *I shall not possess or consume alcoholic beverages on duty or while in uniform on duty or off duty, except as expressly required for the lawful performance of my duties. Nor shall I unlawfully possess, sell, consume, use or assist in the use of any illegal or unauthorized drugs or medications on duty or off duty.*

■ *I shall not engage in any illegal or unlawful harassment or intimidation of another, nor shall I permit personal prejudices, political beliefs, animosities, or friendships to influence my decisions.*

■ *I shall not lie, give misleading information, or falsify written or verbal communications in official reports or in my actions with another person or organization when it is reasonable to expect that such information may be relied upon because of my position or affiliation with my department.*

■ *I shall willfully observe and obey the lawful verbal and written rules, duties, policies, procedures, and practices of my department. I shall also subordinate my personal preferences and work priorities to the lawful verbal and written rules, duties, policies, procedures and practices of my department. I shall willfully perform all lawful duties and tasks assigned by supervisory and/or superior-ranked personnel. Direct, tacit or constructive refusal to do so is insubordination.*

■ *I shall obey the constitutional, criminal and civil laws of the city, county, state, and federal government. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers.*

Decertification Matters:

Incident # 1 Assault with Intent to Commit Felony Pg 2

Incident #2 Grand Theft, Petit Theft Pg 2

Incident #3 Sex with a Minor Pg 2

Incident #4 Conduct Unbecoming Pg 3

Incident #5 Conduct Unbecoming - Lying, Theft Pg 3

Incident #6 Conduct Unbecoming, - Battery Pg 3



Photograph by Pete Strasser

“Common sense ain't common”

–Will Rogers

Disciplinary Actions

Incident #1 - Assault with Intent to Commit a Felony

This officer, who was the acting Chief of Police at the time, was charged with attempted rape, kidnapping, lewd and lascivious contact with a minor, and battery. He later pled guilty to three counts of assault with intent to commit a felony. The other charges were dropped.

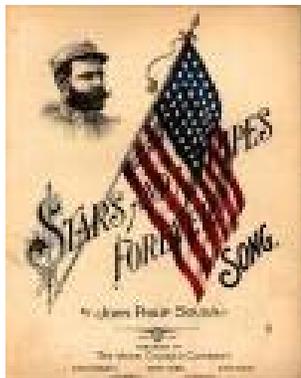
He received a suspended, six-year sentence, was ordered to serve two hundred days in the county jail, and was put on five years probation. He was also ordered to make restitution of approximately four thousand dollars for the cost of a special prosecutor and to pay expenses to the mother of the minor for costs of psychiatric counseling. His certification was revoked.

Incident #2 - Grand Theft, Petit Theft

While experiencing financial difficulties in his private life, this officer decided to take department-issued equipment and another item from evidence and pawn them. Upon discovery of his actions the officer was arrested by his own department and charged with three felony counts.

The officer pled guilty to one felony charge of grand theft and one misdemeanor charge of petit theft. He was given a five year suspended sentence, five years of probation, and ordered to make restitution in the amount of approximately nine hundred dollars.

This officer was decertified by POST.



Teachers Say Plagiarism Is Worse Than Ever.
—Idaho Statesman

Moonlighting Officer's Stand-Up Comedy Routine May Cost Him His Job
—Reuters

Amid Rash of Deception, is Truth an Endangered Virtue?
—Gannett News Service

Former Congressman Gets More Than Eight Years For Bribes
—Associated Press

County Sheriff Says He Is Innocent
—Idaho Statesman

Incident #3 - Sex with a Minor

This incident began when the father of an underage female reported to a police department that an officer had been having sex with his daughter.

The IA determined that the officer had a relationship with not only that female, but two others. All three of the females were minors when they began the relationships with the officer. Some of the contacts with the women occurred before the officer was hired by law enforcement. The sexual contacts continued during his employment.

When one of the females was interviewed regarding her contact with the officer she was untruthful. Later, when she learned that the officer had been sexually active with others, she admitted the relationship with the officer.

The officer was criminally charged and pled guilty to one misdemeanor count of battery. He was also obligated to repay over twenty seven hundred dollars to POST for training expenses. This officer was decertified.

Incident #4 - Conduct Unbecoming

This deputy was out on patrol at night in his marked vehicle with a civilian ride-along. As they approached another marked unit just pulling out from a traffic stop, this officer made a quick U-turn and sped away. The officer clearing the traffic stop was unaware who the first officer was, and believing the U-turn was suspicious, gave chase.

The fleeing officer ran two stop signs, drove at speeds in excess of one hundred miles per hour, and at one point almost rolled his car. The pursuing officer, still not knowing he was pursuing a fellow officer, called in backup from two additional agencies, and even radioed the fleeing officer for help, not knowing that it was this officer that he was chasing. The fleeing officer falsely replied that he was in a community several miles away.

Incident #5 - Conduct Unbecoming, Theft, Lying

A modest amount of cash was determined to be missing from the front office of a Sheriff's Department headquarters. An outside agency was brought in to conduct an investigation. After numerous interviews it was believed that a particular female deputy was responsible for the theft.

The deputy was interviewed and denied taking it. She failed the polygraph and ultimately

The fleeing officer eventually hid in the driveway of a residence and was not located by the other officers. Months later the ride-along reported the incident to the officer's agency.

A special prosecutor was appointed to handle the matter. The officer was found guilty of eluding an officer and reckless driving. During the decertification investigation the officer was untruthful with the investigator and denied some of his actions as reported by the ride-along. The officer admitted that his actions deserved decertification.

Pending the outcome of the legal matters connected with the incident, the officer was given one day off without pay, placed on probation for sixty days, and reassigned to non-patrol duties. He was ultimately sentenced to two days in jail and assessed fines. At the conclusion of the investigation the POST Council decertified the officer.

admitted taking the money but claimed she had put it back.

During the course of the decertification investigation the

officer stated she wanted to put the matter behind her so she signed a stipulation surrendering her certification.



Incident #6 - Conduct Unbecoming, Battery on an Inmate

This male detention officer had a pattern of favorable treatment towards female inmates at the county jail. He was observed rubbing female inmates' backs, allowing them to bring personal items into the jail, was observed putting his arms around one of the women, and was seen rubbing up against an inmate in a sexual manner.

One of the female inmates reported that the officer was observed participating in "orgies" with other female inmates. The officer was also overheard making inappropriate sexual remarks to the inmates.

During the course of the investigation the officer was interviewed. He admitted he grabbed the breast of one of the female inmates but stated that "nothing sexual was intended". He also admitted that he knew what he was doing was wrong, but he was "under stress".

He was criminally charged and pled guilty to two counts of battery. He voluntarily stipulated to his decertification and surrendered his certificates.

INTEGRITY BULLETIN

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Peace Officers Standards and Training

Omar N. Bradley:

Ours is a world of nuclear giants and ethical infants. We know more about war than we know about peace, more about killing than we know about living. We have grasped the mystery of the atom and rejected the Sermon on the Mount.

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 30 days.

—IDAPA 11, Title 11, Chapter 01

“The Rhubarb Patch ...”

What is the “right” thing to do in any given situation? Is it what everybody else is doing? Is it what feels good at the moment? Is it what brings value to the lives of others?

Standards of conduct and morality have been debated through the ages. Can rules be devised that will cover all circumstances and eventualities, or, does the leader teach the correct principles and allow others to govern themselves? There are advantages and difficulties with both approaches.

Of necessity, law enforcement agencies have established standards of conduct to which they expect their employees to adhere.

In a democratic society such as ours, the public has granted to law enforcement officers great power. But with this power comes great accountability.

For those of us who wear the badge there are not only strings attached to this power, but there are heavy and ponderous cables.

These cables reach back not only to our superiors, but also to our families, our community, and our fellow officers. The cables of accountability may be covered in velvet, but they are exceedingly strong. They extend to the farthest reaches of your patrol area and to the darkest corner of the detention center.

They are in force in the office and in the patrol car, in the breaking hours of the morning and in the tired hours of the night. They apply whether you are the newest rookie or the boss. And they particularly apply regardless of what others are doing.

What is the right thing to do? You know what it is: follow the rules and procedures of your department and do what that still, small voice prompts you to do. You will be held accountable. The velvet cables are always there.

~Editor