

Integrity and Ethics Bulletin

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Idaho Peace Officer Standards And Training

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.

This *Integrity and Ethics Bulletin* will be distributed on a periodic basis in order to provide information regarding de-certification and other disciplinary actions taken by the POST Council. General questions regarding de-certification matters may be directed to POST Headquarters or to any of the three POST Regional Training Coordinators.

Following is a summary of actions taken in regard to de-certification investigations and other disciplinary matters:

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Incident #1 Soliciting Favor From Someone Under Investigation

An official of a local business was being investigated by a law enforcement agency. One of the law enforcement officers conducting the investigation solicited and received a loan from the official during the course of the investigation. The officer was charged criminally for accepting a loan from an individual under investigation. The officer was suspended without pay pending the outcome of the charges against him, and was ultimately terminated. The officer was convicted of a misdemeanor and was decertified by the POST Council.

Incident #2 Burglary

This officer plead guilty to one count of burglary and two counts of grand theft, and was implicated in 20 other burglaries. A search of the officer's residence, a storage unit, his car, and a relative's residence located items which had been stolen, including police equipment which he had taken while on duty. He resigned from his department, plead guilty to the charges, and was decertified.

Incident #3 Dismissal

This officer was engaged in training for additional certification, and during the course of his training lost a personal article. Believing he may have left it at a particular location, he left the training site to retrieve his property. The officer could not locate his property and instead, took another item similar to his, but which belonged to someone else. Later, the owner of the item that the officer had taken inquired about his property and learned that someone else had taken it. An employee of the establishment where the item had been left recognized the officer and called the officer's department. The officer was interviewed and he denied taking the item belonging to the second individual. The officer was given several opportunities to relate exactly what happened, but he continued to deny that he had taken the property. Finally, upon being confronted with the possibility of a polygraph, the officer admitted that he had in fact taken property that did not belong to him, and admitted that he had been untruthful in denying it. Because of his untruthfulness, and for violation of the Code of Conduct and the Code of Ethics, the officer was decertified by POST.

Incident #4 Dishonesty

During this officer's shift of duty he told another officer that he had to go off duty for personal reasons. Later, the head of the agency called the officer in and inquired why he had gone off duty, leaving only one officer on duty (violation of policy). The officer explained his reasons for leaving. Upon making inquiries, the officer's superior determined that the officer had not been truthful about his reasons for having to take time off. Giving the officer another chance to explain what happened, the superior re-interviewed him but the officer stuck with his original story. After learning what his superior had determined through his inquiries, the officer admitted that he had lied regarding his reasons for needing time off. The officer was immediately given the option

of resigning or being terminated. The officer elected to take voluntary resignation. After discussing the procedures and requirements for decertification, it was decided jointly by the head of the agency and the decertification investigator that the agency would be better served by the officer's resignation rather than attempting to pursue his decertification.

Incident #5 Solicitation of Sex

This officer contacted a known female drug user and made an appointment to see her. Ensuring that they were alone he told the female that if she would have sex with him, he could arrange to protect her from legal problems or arrest. The officer additionally made veiled threats that the woman might have additional family problems if she did not cooperate with him. The woman went to other law enforcement authorities and explained about being contacted by the officer. The officer resigned from the department as a result of the ensuing internal investigation and was charged criminally. The decertification investigation that followed determined that the officer had been untruthful, and had violated department policy. Because of legal considerations, the Attorney General's office recommended against pursuing decertification of the officer.

Incident #6 Dishonesty in Application for Employment

This officer made application to an agency and, during the screening procedures, admitted recent drug usage. His application was rejected by this agency and he applied for employment with another department. In his application to the second agency he lied regarding the time frame of his drug usage. After having been with the second department for over a year, the original department learned of his employment with the second department and was instrumental in having an investigation begun on the officer. Ultimately, the officer voluntarily resigned and admitted that he had not been truthful in his application with the second agency regarding his drug usage. The officer was decertified.

Editor's Note:

It is POST's desire to have this Bulletin disseminated to as many law enforcement officers as possible throughout the state. Several officers have commented that they not only have never seen a copy of the Bulletin, but they were not even aware of its existence. All recipients are requested to post the Bulletin in a prominent location within their agency and to make copies of it as necessary in order that all employees may have the opportunity to review it.

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