

Peace Officer Standards and Training



OPR Manager's Note

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 sometimes do?

Our continuing efforts to study acts of misconduct and find 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.



Integrity Bulletin

What Are Policemen Made of?

Don't credit me with the mongrel prose: it has many parents-at least 420,000 of them: Policemen.

A Policeman is a composite of what all men are, mingling of a saint and sinner, dust and deity.

Gulled statistics wave the fan over the stinkers, underscore instances of dishonesty and brutality because they are "new". What they really mean is that they are exceptional, unusual, not commonplace.

Buried under the frost is the fact: Less than one-half of one percent of policemen misfit the uniform. That's a better average than you'd find among clergy!

What is a policeman made of? He, of all men, is once the most needed and the most unwanted. He's a strangely nameless creature who is "sir" to his face and "fuzz" to his back

He must be such a diplomat that he can settle differences between individuals so that each will think he won.

But...If the policeman is neat, he's conceited; if he's careless, he's a bum. If he's pleasant, he's flirting; if not, he's a grouch.

He must make an instant decision which would require months for a lawyer to make.

But...If he hurries, he's careless; if he's deliberate, he's lazy. He must be first to an accident and infallible with his diagnosis. He must be able to start breathing, stop bleeding, tie splints and, above all, be sure the victim goes home without a limp. Or expect to be sued.

The police officer must know every gun, draw on the run, and hit where it doesn't hurt. He must be able to whip two men twice his size and half his age without damaging his uniform and without being "brutal". If you hit him, he's a coward. If he hits you, he's a bully.

A policeman must know everything-and not tell. He must know where all the sin is and not partake.

A policeman must, from a single strand of hair, be able to describe the crime, the weapon and the criminal- and tell you where the criminal is hiding.

But...If he catches the criminal, he's lucky; if he doesn't, he's a dunce. If he gets promoted, he has political pull; if he doesn't, he's a dullard. The policeman must chase a bum lead to a dead-end, stake out ten nights to tag one witness who saw it happen-but refused to remember.

The policeman must be a minister, a social worker, a diplomat, a tough guy and a gentleman.

And, of course, he'd have to be genius....For he will have to feed a family on a policeman's salary.

By Paul Harvey

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.

“I’m just saying that I didn’t think it through clearly...”

MULTI-TASKER LEGAL STUFFS

IDAPA 91.04

- a. Engages in criminal conduct whether charged or not.
- d. Lying or falsifying official written or verbal communications.
- 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.



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INDUSTRIOUS MULTI-TASKER OR FRAUDSTER?

Tiffany Tasker worked for Sleepy Hallow County as a Probation Officer, but that’s not all, she also transcribed interviews for an outside company on the side. One day, a co-worker noticed Tasker working on her computer in the probation office, using a foot pedal and listening to and transcribing audio recordings. Now, PO’s are not generally known for their transcription skills, much less required to do such for their job, so, Mr. Concerned Co-worker thought he should mention it to the Boss Man. The Boss Man learned of Tasker’s extracurricular industriousness and accessed her computer only to discover an unauthorized program and time sheets from a company named, “Multi-Taskers On-the-Go.” Surely Tasker was not double dipping!

Boss Man: “PO Tasker, are you employed by Multi-Taskers On-the-Go?”

PO Tasker: “Sir, don’t you recall me mentioning *two years ago*, I was considering outside employment?”

Boss Man: “No, were you transcribing for them on government time?”

PO Tasker: “No, of course not sir, I typed all the documents at home on my own computer and was only proofreading them on my lunch hour.” **(WRONG)**

After Tasker was shown the evidence contradicting her lies, she admitted proofreading and making corrections to the documents throughout the work day when she had “nothing better” to do. “*I have lots of time. And between appointments if I don’t have anything better to do, I open them and proofread them.*”

“I’m in the wrong, I completely admit that. I mean I’m not saying I’m not. I’m just saying that I didn’t think it through clearly and if I was trying to hide it, I wouldn’t have had it on my computer and I wouldn’t have sat there in my office with my headphones on. I mean, I wasn’t trying to hide anything, I didn’t think it was a big deal. I mean I wasn’t trying to be sneaky, I didn’t think I was doing wrong. I was just trying to stay ahead and do the proof reading when I had time to do it...I proof read at my desk all day.”

Tasker was suspended for working for an outside employer while on duty, lying to supervisors and downloading unauthorized programs to a county computer. As for her POST Certifications? “I never really wanted my POST certificate anyway.” **(GREAT...DONE!)**

WHERE THERE'S SMOKE, THERE'S FIRE



Officer Ignazio Sparks had a pretty good thing going, working patrol with his regular shift and assigned to the Arson Investigations Unit. Sparks was a highly trained and trusted arson investigator working alone and when needed. He had autonomy. However, Sparks was experiencing some financial “stress” at home.

“Self: remember that guy you were talking to about the X fire a couple weeks ago? You know, the guy at your house for the party? Yeah, he was there for about 3hrs. I’ll just claim a couple (3) hours overtime for that ‘interview’.”

THOUGHT; to claim overtime not actually worked = **SMOKE**

Darn that supervisor asking for a supplemental report to support that overtime claim. Well, you know, just like all our infamous *Integrity Bulletin award winners*, Sparks came up with a report. He fabricated an unidentifiable person to whom he was introduced by a “friend” who really didn’t provide much substantive information. He put all this down in a back-dated supplemental report and submitted it.

Well guess what Sparky; I see more smoke with those red flags you just threw up there. Officer Sparks, why was the date of this interview dated a month before the fire occurred? Who is your “friend”? Who is the “unidentifiable informant”? Maybe we need to discuss the “overtime” spent with them as you were “investigating” that arson.

Well Officer IA Investigator Dude, actually, I made a mistake on the date of that report. Oh, and I’m sure I can ID the unidentified person and my friend. Let me get back to you. **FIRE!** Nice try Sparky...we’ve already talked with them. They have no idea what you’re talking about.

Well, all the other times I submitted for overtime were accurate and truthful. I promise.

Sparks ultimately admitted he lied during his interview and the “supplemental” report was also not completely accurate. He did talk with a guy during a party at his house for about two minutes about an arson, but it had nothing to do with the X fire; and was he introduced to him by his “friend”? **No, No he was not.**

SMOKE & FIRE
LEGAL STUFFS

IDAPA 091.04:

a. Criminal

d. Lying

IDAPA 064:

02. 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.

Honest...



“The true test of a man's character is what he does when no one is watching.”

UCLA Coach, John Wooden.

CHASER

LEGAL STUFFS



IDAPA rule 11.11.01.064
POST Council's Code of
Ethics/Standards of Con-
duct:

.02 ...Honest in thought
and deed in both my per-
sonal and official life, I
will be exemplary in
obeying the law and the
regulations of my depart-
ment.

.03 ...I will never act offi-
cially or permit person-
al feelings, prejudices,
political beliefs, aspira-
tions, animosities, or
friendships [or potential
friendships] to influence
my decisions.

IDAPA Rule 11.11.01.091,
POST Council's Code of
Ethics, Additional Cause
for Decertification:

d. Lying or falsifying offi-
cial written or verbal
communications.

Plus a few more...

MARRIED WITH CHILDREN (PART I)

Officer Kurt Chaser, Big Town PD; married; 6 kids and always on the look-out. Chaser was on the beat late one night and came across a real looker, Tina Colada, who may have had a few too many. Chaser, always wanted to protect the public, placed Colada under arrest and transported her to the County jail for a breath test, the results of which were a BAC of .20 and .19. Instead of booking her, Chaser elected to write her a citation and give her a ride home. On the way home Chaser says, "Maybe you can make it up to me, by making me dinner". **(WHAT?!!!)**

The next day, Chaser called Colada and asked if she needed a ride to pick up her vehicle (what a nice guy). Chaser told her he had not yet filed his report and had an idea to help her out. A day later, Chaser left his business card at Colada's house with a note on it for her to call him. He then left a message Colada's voicemail indicating he needed to meet with her in person to talk about his idea.

Colada returned Chaser's call and agreed to meet him. He told her not to tell anyone about her DUI arrest. Arrangements were made to meet in the Home Depot parking lot. Chaser, looking sharp in his freshly pressed police uniform and driving his freshly washed patrol car shows up ten minutes early. Colada, nervously arrives on time and sporting a new body wire supplied by BTPD Internal Affairs. The rendezvous went on for 45 minutes. Chaser talked about not filing the report and giving her a break. He told Colada he had a year and a day to file it although the department would not look favorably at this because they are supposed to arrest everybody for a .08 and above. "It's supposed to be a deterrent." But, Chaser told Colada, "it's out of the goodness" of his heart, that he was giving back her license. Chaser did not file the arrest report, but signed an official report declaring he pulled DR# in error.

During the IA interview, Chaser admitted he left his business card at Colada's house and explained the reason he held the citation was that it was around the holidays and he felt sorry for her.

What were Kurt Chaser's intentions? We don't know, he abruptly resigned and went on his way. Let's see what happens in PART II.

IN THE NEWS (OR COURTS)

State of Idaho vs Ima Desperado

Have you ever wondered what a Criminal Complaint looks like with your name in it? Me neither, but just in case:

PERSONALLY APPEARED Before me this 23 day of October 2019, Peter A. Torney, Deputy Prosecutor, in and for the County of Oz, State of Idaho, who, being duly Sworn, complains and says: that IMA DESPERADO, on or between the 1st day of August, 2019 and the 25th day of August 2019, in the county of Oz, State of Idaho, did commit the crime of SEXUAL CONTACT WITH A PRISONER, FELONY, I.C. §18-6110 as follows:

That the defendant, IMA DEPERADO, on or between the 1st day of August, 2019 and the 25th of August 2019, in the Count of Oz, State of Idaho, did knowingly have sexual contact with X.X., a prisoner, not her spouse, while the Defendant was employed as a correctional officer with... (OK, you get the picture.)

FELONY CONVICTION = AUTOMATIC DECERTIFICATION

DECERTIFIED



LEGAL STUFFS (Part II & III)

IDAPA 064:02. Personal and Official Life. I will keep my life UNSULLIED.

IDAPA 091.04:

- d. Lying or falsifying verbal or written communications.
- e. Engages in inappropriate sexual conduct while on duty.
- f. Engages in inappropriate relationships, sexual or otherwise, with a person who the officer knows or should have known is a victim, witness....

MARRIED WITH CHILDREN (PART II)

Remember Officer Kurt Chaser, formerly of Big Town PD; married; 6 kids and always on the look-out? Well somehow his exploits went unnoticed or reported and he is now Officer Kurt Chaser at Littleton PD; still married; still has 6 kids, but now with grandkids; and of course, still on the look-out.

Chaser was called out one night to Ms. Fanny Gotts residence regarding a lost child. At the conclusion of the call Chaser asked Gotts if he could call her to inform her of the disposition of the child. He also asked if he could later return to bring apples to feed to her horses. Chaser called Gotts 5 times that evening and continued to call and text her over the next two days, stopping by her house at 2:00am wearing his freshly pressed uniform and driving his newly washed patrol car (hmm, sound familiar). That night he checked out of service at 2:25am. Chaser took care of Gotts's horses while she was out of town, when she returned Chaser stopped by and see her, as she had left the back door open for him. (Oh so romantic.) BUT, she was asleep; he texted her to tell her he would stop by later.

The next day, Chaser called to tell Gotts he would be over after finishing some work. He arrived at 1:30am; he was in uniform and driving a marked patrol vehicle. His shift is technically over at 2:00am. Prior to his arrival Chaser asked Gotts to move her truck and horse trailer so he could position his patrol car behind them. He didn't want it to be seen from the road in case another officer or his "boss" should drive by. Shortly after his arrival, they were intimately "engaged" in "activities" only seen in R rated movies, Gotts could hear the police radio squelching from time to time. After acting out the R rated scenes, he went back to work at 2:48am.

UH OH... Here it comes: Two days later, Gotts received a message on her phone from a crying female, who stated she was Chaser's wife and that they have six kids and two grand kids. Chaser told her the message was from a crazy woman, with whom he was living; he couldn't get rid of her and tells people this all of the time. He also told the Chief he had never heard the name, Fanny Gotts. **(OOPS)**

CAN YOU BELIEVE ...MARRIED WITH CHILDREN (PART III)

At the same time Chaser was "feeding" the horse at Gotts' house, he was spending a lot of on duty time learning the fine points of nursing at the hospital with Ms. Florence Knight, a cute little EMT type. IA interviews with Knight noted she was hesitant to answer questions regarding Chaser, stating they had a "non-intimate" friendship.

HOLD ON...FAST FORWARD A MONTH... Knight is looking to "clear up some statements" she made earlier. Knight was "in love with Chaser." He told her they had a future together, but when she figured out he was lying about his relationship with his wife and the other women, Knight decided truth was better than protection. They had more than a "platonic" relationship. They met at her house and other prearranged locations for more than platonic activities. When on-duty, he would park his patrol vehicle at Knight's neighbor's house and walk to hers; most of the time for "no longer than a coffee break."

As a result of the above investigations, the County Prosecutor wrote, "Under law, the state must disclose to the defense any information that may negate a defendant's guilt. The investigative reports indicate to me that Deputy Chaser was untruthful during the investigation into his conduct, bringing his credibility into question. His credibility or lack thereof would be a significant obstacle to successful prosecution in any case in which he might be required to testify. My office will therefore decline prosecution of cases involving Deputy Small." **DECERTIFIED**

HARASSMENT

LEGAL STUFFS

IDAPA rule 11.11.01.064
POST Council's Code of
Ethics/Standards of Con-
duct:

01. Fundamental Duty.
As a law enforcement of-
ficer, my fundamental
duty is to serve the com-
munity; to safeguard lives
and property; to protect
the innocent against de-
ception, the weak against
oppression or intimidat-
ion, and the peaceful
against violence or disor-
der; and to respect the
Constitutional rights of
all to liberty, equality and
justice.



IDAPA Rule 11.11.01.091,
POST Council's Code of
Ethics, Additional Cause
for Decertification:

c. Illegal or unlawful har-
assment or intimidation
of another.

IN THE NEWS (KINDA)

Recently, (about ten years ago), the Chula Vista, California Police Department ran an e-mail forum (a question and answer exchange) with the topic being, "Community Policing."

One of the civilian email participants posed the following question, "I would like to know how it is possible for police officers to continually harass people and get away with it?"

From the "other side" (the law enforcement side) Sgt. Bennett, obviously a cop with a sense of humor replied:

"First of all, let me tell you this...it's not easy. In Chula Vista, we average one cop for every 600 people. Only about 60% of those cops are on general duty (or what you might refer to as "patrol") where we do most of our harassing.

The rest are in non-harassing departments that do not allow them contact with the day to day innocents. And at any given moment, only one-fifth of the 60% patrollers are on duty and available for harassing people while the rest are off duty. So roughly, one cop is responsible for harassing about 5,000 residents.

When you toss in the commercial business, and tourist locations that attract people from other areas, sometimes you have a situation where a single cop is responsible for harassing 10,000 or more people a day.

Now, your average ten-hour shift runs 36,000 seconds long. This gives a cop one second to harass a person, and then only three-fourths of a second to eat a donut AND then find a new person to harass. This is not an easy task. To be honest, most cops are not up to this challenge day in and day out. It is just too tiring. What we do is utilize some tools to help us narrow down those people which we can realistically harass.

The tools available to us are as follows:

PHONE: People will call us up and point out things that cause us to focus on a person for special harassment. "My neighbor is beating his wife" is a code phrase used often. This means we'll come out and give somebody some special harassment.

Another popular one: "There's a guy breaking into a house." The harassment team is then put into action.

CARS: We have special cops assigned to harass people who drive. They like to harass the drivers of fast cars, cars with no insurance or no driver's licenses and the like. Its lots of fun when you pick them out of traffic for nothing more obvious than running a red light. Sometimes you get to really heap the harassment on when you find they have drugs in the car, they are drunk, or have an outstanding warrant on file.

RUNNERS: Some people take off running just at the sight of a police officer. Nothing is quite as satisfying as running after them like a beagle on the scent of a bunny. When you catch them you can harass them for hours.

STATUTES: When we don't have PHONES or CARS and have nothing better to do, there are actually books that give us ideas for reasons to harass folks. They are called "Statutes"; Criminal Codes, Motor Vehicle Codes, etc... They all spell out all sorts of things for which you can really mess with people. After you read the statute, you can just drive around for awhile until you find someone violating one of these listed offenses and harass them. Just last week I saw a guy trying to steal a car. Well, there's this book we have that says that's not allowed. That meant I got permission to harass this guy. It is a really cool system that we have set up, and it works pretty well. We seem to have a never-ending supply of folks to harass. And we get away with it. Why? Because for the good citizens who pay the tab, we try to keep the streets safe for them, and they pay us to "harass" some people.

Next time you are in my town, give me the old "single finger wave." That's another one of those codes. It means, [Free Speech] "You can't harass me."

BACK PAGE INFORMATION

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 located 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.

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

BACK ROW: Bill Reid - Twin Falls Police Dept., Danny Lammers – Twin Falls Police Dept., Cecil Brown - Idaho Fish & Game, Paul Ban - Idaho Fish & Game, Don Hiebert - Idaho State Police, Bruce Skinner - Idaho State Police, Jim Benham - Pocatello PD, Marshall Brisbin – Nampa PD, Larry Plott - POST Academy

MIDDLE: Thomas R. McDowell - Exec Sec. POST Academy, Fred Becker - Idaho State Police, Steve Chapple - Idaho Falls PD, Bob Shaeffer - Idaho State Police, Al Rice - Grangeville PD, Paul Phelps - Boise Police Dept., Florine Marsh – Fort Hall Tribal Police, Eileen Hootchew - Fort Hall Tribal Police, David Lien - Pocatello Police Department, Dave Calvert - Idaho State Police, Gordon Harris - Canyon County Sheriffs Office,

FRONT ROW: Everett Austin - Pocatello PD, Ron Crom - Idaho Falls PD, Jerry Smith - Boise Police Dept., Terry Heaton - Boise Police Dept., Adrian Smith – Supervisor vISP

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