

### DISPOSITION OF DISCIPLINARY PROCEEDINGS:

7- CASE	RANK	NAME	TAX NO.	PRESENT COMMAND	COMMAND PREF'D CHARGES	DATE OF CHARGES
85237/09	PO	RAUL GABRIEL	9366 [REDACTED]	MAN.CT. SECT.	41 PCT.	03/31/2009

#### SPECIFICATIONS/DISPOSITIONS

1. WHILE OFF DUTY WRONGFULLY DAMAGED PROPERTY OF AN INDIVIDUAL KNOWN TO THE DEPARTMENT.  
**NOT GUILTY**
2. WHILE OFF DUTY WRONGFULLY PLACED AN INDIVIDUAL KNOWN TO THE DEPARTMENT IN FEAR OF  
SERIOUS PHYSICAL INJURY. **DISMISSED**
3. WHILE OFF DUTY WRONGFULLY THREATENED TO INFLICT BODILY HARM UPON AN INDIVIDUAL KNOWN TO  
THE DEPARTMENT IF SAID INDIVIDUAL CALLED THE POLICE. **NOT GUILTY**
4. WHILE OFF DUTY FAILED TO IDENTIFY HIMSELF AS A MEMBER OF SERVICE AFTER BEING INVOLVED IN  
A POLICE INCIDENT. **NOT GUILTY**
5. WHILE OFF DUTY DISCOURTEOUS TO A MEMBER OF SERVICE. **GUILTY**

**PENALTY:** Forfeiture of fifteen (15) days time served on suspension. **DATE OF DISPOSITION:** 04/18/2012

2010-3385	SGT	DWIGHT SMITH	9073 [REDACTED]	INV.SUPP. DIV.	IAB	01/20/2011
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#### SPECIFICATIONS/DISPOSITIONS

1. WHILE OFF DUTY WRONGFULLY OPERATED A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF AN  
INTOXICANT. **GUILTY**
2. WHILE OFF DUTY WRONGFULLY OPERATED A MOTOR VEHICLE WHILE ABILITY WAS IMPAIRED BY AN  
INTOXICANT. **GUILTY**
3. WHILE OFF DUTY REFUSED TO SUBMIT TO A BLOOD ALCOHOL TEST. **GUILTY**
4. UNFIT FOR DUTY. **GUILTY**

**PENALTY:** Dismissal from the New York City Police Department; however, judgment is suspended and respondent will be placed on Dismissal Probation for a period of one (1) year. Forfeiture of thirty-five (35) pre-trial suspension days, five (5) vacation days, ordered breath testing. **DATE OF DISPOSITION:** 04/18/2012

2011-5183	CPT	JAMES FULTON	8992 [REDACTED]	FIREARMS & TACT.SECT.	IAB	07/05/2011
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#### SPECIFICATIONS/DISPOSITIONS

1. WHILE OFF DUTY WRONGFULLY OPERATED A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF AN  
INTOXICANT. **GUILTY**
2. WHILE OFF DUTY WRONGFULLY OPERATED A MOTOR VEHICLE WHILE ABILITY WAS IMPAIRED BY THE  
CONSUMPTION OF ALCOHOL. **GUILTY**
3. UNFIT FOR DUTY. **GUILTY**

**PENALTY:** Dismissal from the New York City Police Department; however, judgment is suspended and respondent will be placed on Dismissal Probation for a period of one (1) year. Forfeiture of thirty-four (34) pre-trial suspension days, ten (10) vacation days, ordered breath testing. **DATE OF DISPOSITION:** 04/18/2012