

DISPOSITION OF DISCIPLINARY PROCEEDINGS:

| 7 - | <u>CASE</u> | <u>RANK</u> | <u>NAME</u> | <u>TAX NO.</u> | <u>PRESENT COMMAND</u> | <u>COMMAND PREF'D CHARGES</u> | <u>DATE OF CHARGES</u> |
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| | 2013-9276 | PO | ANDREW DEMICHAEL | 9469 [REDACTED] | 70 PCT. | CH.OF DEPT. | 07/16/2013 |

SPECIFICATIONS/DISPOSITIONS

1. WHILE ON-DUTY AND HAVING RESPONDED TO RADIO CALLS REGARDING ALLEGED VIOLATIONS OF AN ORDER OF PROTECTION, DID FAIL AND NEGLECT TO CONDUCT PROPER INVESTIGATION, INCLUDING VERIFYING THAT SAID ORDER OF PROTECTION WAS ISSUED AND THE TERMS OF SAID ORDER. **GUILTY**
2. WHILE ON-DUTY AND HAVING RESPONDED TO RADIO CALLS REGARDING ALLEGED VIOLATIONS OF AN ORDER OF PROTECTION, DID FAIL AND NEGLECT TO PREPARE A COMPLAINT REPORT. **GUILTY**
3. WHILE ON-DUTY AND HAVING RESPONDED TO RADIO CALLS REGARDING ALLEGED VIOLATIONS OF AN ORDER OF PROTECTION, DID FAIL AND NEGLECT TO MAKE REQUIRED ACTIVITY LOG ENTRIES. **GUILTY**
4. WHILE ON-DUTY AND HAVING RESPONDED TO RADIO CALLS REGARDING ALLEGED VIOLATIONS OF AN ORDER OF PROTECTION, WRONGFULLY PROVIDED THE INCORRECT RADIO DISPOSITION FOR SAID ASSIGNMENT. **GUILTY**
5. WHILE ON-DUTY AND HAVING RESPONDED TO RADIO CALLS REGARDING ALLEGED VIOLATIONS OF AN ORDER OF PROTECTION, DID FAIL AND NEGLECT TO ARREST SAID INDIVIDUAL, AS REQUIRED.

GUILTY

PENALTY:

Forfeiture of ten (10) vacation days.

DATE OF DISPOSITION: 03/26/2014

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| 2013-9988 | LSA | SEAN FREY | 8974 [REDACTED] | FLEET SERV.DIV. | OCCB | 08/15/2013 |
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SPECIFICATIONS/DISPOSITIONS

1. ON THIRTY-TWO (32) OCCASIONS, DID CAUSE INACCURATE ENTRIES TO BE MADE IN DEPARTMENT RECORDS IN THAT HE INDICATED IN THE RECORDS OF THE MANHATTAN GANG SQUAD THAT HE WAS PRESENT FOR DUTY WHEN IN FACT HE WAS NOT. **GUILTY**
2. ON THIRTY-TWO (32) OCCASIONS, WAS ABSENT FROM HIS ASSIGNMENT AND FAIL TO SUBMIT A LEAVE OF ABSENCE REPORT (UF 28) FOR SCHEDULED TIME NOT WORKED, FOR A TOTAL OF TWENTY-ONE (21) HOURS AND EIGHTEEN (18) MINUTES. **GUILTY**
3. DID FAIL TO TIMELY REPORT THE LOSS OF HIS ACTIVITY LOG TO THE DEPARTMENT. **GUILTY**
4. DID REQUEST ANOTHER MEMBER OF THE SERVICE TO SUBMIT A REQUEST FOR LOST TIME ON HIS BEHALF AND SIGN HIM OUT END OF TOUR WHEN HE NEVER REPORTED TO WORK. **GUILTY**

PENALTY:

Forfeiture of twenty-three (23) vacation days and time and leave balances for twenty-one (21) hours and eighteen (18) minutes.

DATE OF DISPOSITION: 03/27/2014

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| 2011-5798 | PO | YANELI GARCIA | 9417 [REDACTED] | T.D.11 | T.D.11 | 01/25/2012 |
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SPECIFICATIONS/DISPOSITIONS

1. DID FAIL AND NEGLECT TO SAFEGUARD AN INDIVIDUAL WHO WAS PARTIALLY HANDCUFFED AND IN CUSTODY, AS REQUIRED, RESULTING IN THE ESCAPE OF SAID INDIVIDUAL. **DISMISSED**
2. DID FAIL AND NEGLECT TO NOTIFY IN A TIMELY FASHION ANY ON-DUTY TRANSIT BUREAU DISTRICT #11 SUPERVISOR OF SAID OFFICER'S UNSUCCESSFUL ATTEMPT TO APPREHEND A SUSPECT WANTED FOR THEFT OF SERVICES. **DISMISSED**

PENALTY:

Charges be dismissed and the matter be remanded to the respondent's command for imposition of a schedule "A" Command Discipline.

DATE OF DISPOSITION: 03/28/2014