



OFFICE OF THE POLICE COMMISSIONER
ONE POLICE PLAZA • ROOM 1400

September 13, 2021

Memorandum for: Deputy Commissioner, Trials

Re: **Police Officer Dewan Campbell**
Tax Registry No. 950147
104th Precinct
Disciplinary Case No. 2020-21755

The above named member of the service appeared before Assistant Deputy Commissioner Jeff S. Adler on April 27, 2021, and was charged with the following:

DISCIPLINARY CASE NO. 2020-21755

1. Said Police Officer Dewan Campbell, assigned to the 104th Precinct, on or about and between April 10, 2019 and October 1, 2019, engaged in conduct prejudicial to the good order, efficiency or discipline of the Department, to wit: said Police Officer engaged in an inappropriate relationship with a female victim.

P.G. 203-10, Page 1, Paragraph 5

**PROHIBITED CONTACT –
PROHIBITED CONDUCT**

2. Said Police Officer Dewan Campbell, assigned to the 104th Precinct, on or about May 16, 2019, did wrongfully make a computer inquiry on a Department computer unrelated to the official business of the Department.

P.G. 219-14, Page 1, Paragraph 2

**DEPARTMENT COMPUTER
SYSTEMS**

3. Said Police Officer Dewan Campbell, assigned to the 104th Precinct, on or about and between May 19, 2019 and October 1, 2019, improperly utilized a Department cellular phone for personal use on approximately one hundred forty-one (141).

P.G. 219-32, Page 1, Paragraph 1

**DEPARTMENT MOBILE
DIGITAL DEVICES**

In a Memorandum dated May 6, 2021, Assistant Deputy Commissioner Paul M. Gamble found Police Officer Dewan Campbell Guilty of all the Specifications in Disciplinary Case No. 2020-21755, after Police Officer Campbell entered a plea of Guilty to all. Having read the Memorandum and analyzed the facts of this matter, I approve the findings, but disapprove the penalty.

After reviewing the facts and circumstances of this matter, I have determined that a lower penalty is warranted. Specifically, as noted by the Department Advocate, Police Officer Campbell's actions were not predatory as he did not seek out a relationship with the female complainant. Also, the personal relationship between the parties began after their professional relationship had ended.

The female complainant never alleged any impropriety by Police Officer Campbell. In fact, Police Officer Campbell handled the initial complaint, and its follow-up, professionally; however, his subsequent lapse in judgment led to a personal relationship with the very same complainant whose case he was tasked with handling.

Since this incident, Police Officer Campbell has been reassigned to another command. He was also relieved of his assignment as a Domestic Violence Prevention Officer. This, coupled with Police Officer Campbell's otherwise unblemished history with the Department, as well as his mere lapse in judgment rather than an active pursuit of a personal relationship with a complaint, warrants a mitigated penalty.

Therefore, Police Officer Campbell shall forfeit fifteen (15) vacation days, as a disciplinary penalty.


Dennis Shea
Police Commissioner



POLICE DEPARTMENT

May 6, 2021

-----X

In the Matter of the Charges and Specifications	:
- against -	:
Police Officer Dewan Campbell	:
Tax Registry No. 950147	:
104th Precinct	:

-----X

Case No.
2020-21755

At: Police Headquarters
One Police Plaza
New York, NY 10038

Before: Honorable Paul M. Gamble
Assistant Deputy Commissioner Trials

APPEARANCES:

For the Department: Gulnora Tali, Esq.
Department Advocate's Office
One Police Plaza
New York, NY 10038

For the Respondent: Michael Martinez, Esq.
Worth, Longworth & London, LLP
111 John Street, Suite 640
New York, NY 10038

To:

HONORABLE DERMOT F. SHEA
POLICE COMMISSIONER
ONE POLICE PLAZA
NEW YORK, NY 10038

CHARGES AND SPECIFICATIONS

1. Said Police Officer Dewan Campbell, assigned to the 104th Precinct, on or about and between April 10, 2019, and October 1, 2019, engaged in conduct prejudicial to the good order, efficiency or discipline of the Department, to wit: said Police Officer engaged in an inappropriate relationship with a female victim.

P.G. 203-10, Page 1, Paragraph 5

PUBLIC CONTACT
PROHIBITED CONDUCT

2. Said Police Officer Dewan Campbell, assigned to the 104th Precinct, on or about May 16, 2019, did wrongfully make a computer inquiry on a Department computer unrelated to the official business of the Department.

P.G. 219-14, Page 1, Paragraph 2

DEPARTMENT COMPUTER
SYSTEMS

3. Said Police Officer Dewan Campbell, assigned to the 104th Precinct, on or about and between May 19, 2019, and October 1, 2019, improperly utilized a Department cellular phone for personal use on approximately one hundred forty-one (141) occasions.

P.G. 219-32, Page 1, Paragraph 1

DEPARTMENT MOBILE
DIGITAL DEVICES

REPORT AND RECOMMENDATION

The above-named member of the Department appeared before me on April 13, 2021. Respondent, through his counsel, entered a plea of Guilty to the subject charges and testified in mitigation of the penalty. A stenographic transcript of the trial record has been prepared and is available for the Police Commissioner's review. Having reviewed all of the evidence in this matter, I recommend that Respondent forfeit 15 suspension days, 15 vacation days and serve a one-year period of dismissal probation.

SUMMARY OF EVIDENCE IN MITIGATION

Respondent admitted that he first encountered [REDACTED] on April 1, 2019, in his capacity as a Domestic Violence (DV) officer assigned to the 104th Precinct. He observed her sitting inside the precinct and offered her assistance, as she was crying and seemed upset. She stated that she

¹ A.B.'s identity is known to the Tribunal.

wanted to make a report regarding “mean” text messages sent by the father of her unborn child²; Respondent assisted her by taking a Domestic Incident Report from her³. He provided her with a Department business card, which contained his Department cell phone number. Respondent made a follow-up visit to A.B.’s residence approximately three to four days later in the company of two other DV officers. Shortly thereafter, Respondent went on leave for two weeks (T. 8-13, 21-22).

When Respondent returned from leave, he noticed that A.B. had sent two text messages to his Department cell phone. In these messages, A.B. advised Respondent that she was well and that she had delivered her baby. Respondent replied to the messages and told A.B. to reach out if she needed any further assistance (T. 14-15).

According to Respondent, in early May 2019, he received additional messages from A.B. on his Department cell phone that took on a more personal tone. In the middle of May, A.B. texted Respondent and asked him “what time [he] was getting off [work.]” When Respondent told her the time, she invited him to “pass by.” He did so at approximately 1800 hours and spent 15 minutes conversing with her while they sat in his personal vehicle in front of her residence. Respondent admitted that he conducted a computer search of Department indices before meeting with her in order to assure himself that he knew as much as he could about her background (T. 15-18).

Respondent saw A.B. again approximately one week later, after she again invited him to stop by after work. On that occasion, Respondent spent time with A.B., her child and A.B.’s mother. According to Respondent, A.B. continued sending him text messages, which eventually

² A.B. was seven months pregnant at that time.

³ It is undisputed that no arrests were ever made based upon the DIR.

took on a “romantic” tone. Respondent admitted to reciprocating the interest and replied to these messages. While he admitted that he knew entering into a personal relationship with A.B. would be wrong, based upon her status as a victim, he considered her professional interaction with him to have concluded when no further action was taken on her complaint (T. 16-22, 39).

Respondent started going out with A.B. once or twice per week for a meal and a movie. He admitted that the relationship progressed to the point where he considered A.B. his girlfriend. The relationship began to sour in September-early October 2019, when he felt that the demands of work and school no longer left him sufficient time to pursue a relationship with her. According to Respondent, A.B. was upset that he was unable to spend as much time with her as she would have liked. In mid-October, Respondent told A.B. that he was going to have to “take a step back.” She stated that she wanted to see him and would come by his job; Respondent told her that he was not comfortable with her visiting his place of employment and told her that he was ending the relationship. A.B. told Respondent that she would contact his command if he broke up with her. While he did not believe her initially, when he was directed to report to Queens North Investigations, he realized that she had done so (T. 20-24).

In response to questioning by the Tribunal, Respondent admitted that he did not seriously consider going to his chain of command and announcing his desire to engage in a personal relationship with A.B. because he felt that the response would have been to prohibit the relationship (T. 39-41).

PENALTY

In order to determine an appropriate penalty, the Tribunal, guided by the Department Disciplinary System Penalty Guidelines (“Disciplinary Guidelines”), considered all relevant facts and circumstances, including any aggravating and mitigating factors established in the record.

Respondent's employment record was also examined (*See* 38 RCNY §15-07). Information from Respondent's personnel record that was considered in making this penalty recommendation is contained in an attached memorandum. The Department Advocate requested a penalty of 15 suspension days, 15 vacation days and one-year dismissal probation. I concur with their recommendation.

Respondent, who was appointed to the Department on July 6, 2011, has pleaded Guilty to: (1) engaging in an inappropriate relationship with a victim; (2) wrongfully making a computer inquiry on a Department computer; and (3) improperly using a Department telephone for personal use on 141 occasions.

Under the Disciplinary Guidelines, Conduct Prejudicial to the Good Order and Efficiency of the Department has a permissible penalty range from training to termination. Misuse of a Computer carries a presumptive penalty of 10 days. Unauthorized Use of a Department telephone is categorized as a Schedule "A" command discipline, for which the maximum penalty is five penalty days.

I find Respondent's acceptance of responsibility, as evidenced by his guilty pleas, evidence of mitigation. Respondent candidly and forthrightly admitted that he pursued a romantic relationship with **A.B.** fully aware that it was against the good order and discipline of the Department. Having observed his demeanor during the mitigation hearing, I find his expression of remorse to be genuine, providing further evidence of mitigation. Moreover, according to Respondent, both he and **A.B.** were single at the time they were involved with each other. The Department Advocate asserted upon questioning by the Tribunal that there was no evidence of which she was aware that would support a characterization of Respondent's conduct as predatory. These mitigating factors, however, do not outweigh the egregiousness of the

misconduct in this case. Inasmuch as the inappropriate relationship is not explicitly addressed in the Disciplinary Guidelines, an analysis of precedent follows.

In previous cases, respondents have received penalties ranging from 30 penalty days, without dismissal probation, to 40 penalty days and one-year dismissal probation (*Disciplinary Case No.* [REDACTED] [August 2, 2019][Twelve-year police officer with no disciplinary history forfeited 10 suspension days, 30 penalty days and one-year dismissal probation after pleading guilty to engaging in an inappropriate relationship with a victim of domestic violence in a pending criminal matter, while assigned as the domestic violence officer]; *Disciplinary Case No.* [REDACTED] [August 17, 2018][Twelve-year detective with no disciplinary history negotiated a penalty of 30 penalty days and one-year dismissal probation. Respondent engaged in a consensual intimate relationship with a married complainant whose husband he had arrested for domestic assault]; *Disciplinary Case No.* [REDACTED] [January 14, 2016][Twelve-year police officer with one prior adjudication negotiated a penalty of 30 penalty days for inappropriately communicating with a crime victim and visiting her home for non-Department purposes. Respondent responded to the victim's home on a criminal mischief complaint during the course of his official duties and returned after his tour was over. Respondent left after the victim received a call from her boyfriend; after he left, he called the victim 13 times in a four-hour period to ask the victim why she did not inform him that she had a boyfriend])).

Of the cases cited above, I find the facts in *Disciplinary Case No.* [REDACTED] most analogous to the instant case. Both cases involve apparently consensual relationships where both respondents believed that their roles as a Domestic Violence Officer had concluded. While it turned out that there was an active criminal case pending in that matter, unlike the present case, the Tribunal's central finding was nevertheless sound: "A similarly situated member of the

service, acting reasonably, should have known that complainants in domestic violence cases can be particularly inappropriate targets for romantic advances.”

I find that, in this case, Respondent’s role as a Domestic Violence Officer is a serious aggravating factor. Given his role and professional expertise, he should have appreciated the importance of maintaining a professional distance from A.B. for several reasons. First, she appeared in Respondent’s precinct because the father of her child was sending her text messages that she found upsetting. That circumstance objectively qualified her as a victim, which should have been immediately apparent to Respondent. Second, he began a personal relationship with A.B. shortly after she delivered her child, a potentially difficult period for any mother, rendering her particularly vulnerable. Finally, Respondent admitted that he did not bring the relationship to the attention of his supervisor because he believed at the time that if he had done so, he would have been ordered to stop associating with A.B. In deciding not to disclose the relationship, he placed his personal interest ahead of his professional obligation.

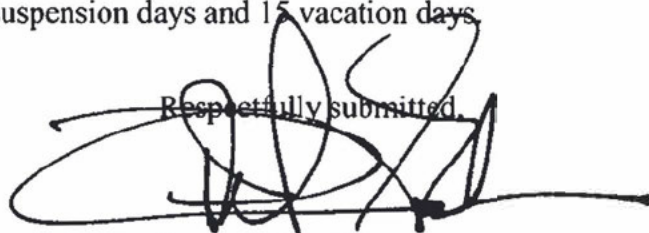
While there is no evidence that Respondent’s behavior was predatory, it is inarguable that there was an imbalance of power between them. In the view of this Tribunal, it is that imbalance which taints any relationship arising in this context. Counsel for Respondent raised the question of whether the Patrol Guide prohibits such relationships in perpetuity, regardless of how much time has expired between the end of the police matter and the initiation of the personal relationship. That question is not before us in this case, as the relationship commenced within several weeks of the initial meeting between Respondent, a Domestic Violence Officer, and A.B. a domestic violence complainant.

Respondent’s conduct breached a Department norm intended to preserve a professional distance between Members of Service and the public. Even as we strive for better relationships

with the communities we serve, there are ethical lines that cannot be crossed⁴. In order to maintain the high standards of personal conduct to which Members of Service are held, a significant sanction is warranted.

Accordingly, I recommend that Respondent be DISMISSED from the Department, but that his dismissal be held in abeyance for a period of one year, pursuant to Administrative Code § 14-115(d), during which time he is to remain on the force at the Police Commissioner's discretion and may be terminated at any time without further proceedings. In addition, I recommend that Respondent forfeit 15 suspension days and 15 vacation days.

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to be 'Paul M. Gamble', written over the 'Respectfully submitted,' text.

Paul M. Gamble
Assistant Deputy Commissioner Trials



⁴ Respondent testified that during his training to become a Domestic Violence officer, he received no instruction on the ethics of respecting professional boundaries with complainants and witnesses (T. 34-35). Because the category of Conduct Prejudicial to the Good Order and Efficiency of the Department is deliberately broad, it may be beneficial to the force as a whole to receive training which encourages self-regulation, rather than conforming their behavior to avoid only clearly proscribed conduct.



POLICE DEPARTMENT CITY OF NEW YORK

From: Assistant Deputy Commissioner – Trials

To: Police Commissioner

Subject: SUMMARY OF EMPLOYMENT RECORD
POLICE OFFICER DEWAN CAMPBELL
TAX REGISTRY NO. 950147
DISCIPLINARY CASE NO. 2020-21755

Respondent was appointed to the Department as a police officer on July 6, 2011, having previously served as a Police Administrative Aide since 2006. On his last three annual performance evaluations, Respondent received 4.0 overall ratings of "Highly Competent" for 2014, 2015, and 2016. He has been awarded seven medals for Excellent Police Duty.

Respondent has no disciplinary record.

For your consideration.

Paul M. Gamble
Assistant Deputy Commissioner Trials