



POLICE DEPARTMENT

June 20, 2011

MEMORANDUM FOR: Police Commissioner

Re: Police Officer Flamond Beecham  
Tax Registry No. 934467  
Transit District 11  
Disciplinary Case No. 84601/08  
-----

The above-named member of the Department appeared before me on December 14, 2010, and February 2, 2011, charged with the following:

1. Said Police Officer Flamond Beecham assigned to Transit District 11, while on-duty, on or about May 19, 2007, at a location known to this Department, in Bronx County, was discourteous to New York City Police Sergeant Henry Ocasio, to wit: said officer stated "I'll call my hook" then hung up the phone on said Sergeant after being ordered to report to work.

P.G. 203-09, Page 1, Paragraph 2 – PUBLIC CONTACT – GENERAL REGULATIONS

2. Said Police Officer Flamond Beecham assigned as indicated in Specification #1, while on-duty, on or about May 19, 2007, at a location known to this Department, in Bronx County, having been given a lawful order by New York City Police Sergeant Henry Ocasio to report to work, said officer did wrongfully and without just cause refuse to comply with said lawful order.

P.G. 203-03, Page 1, Paragraph 2 – COMPLIANCE WITH ORDERS

3. Said Police Officer Flamond Beecham assigned as indicated in Specification #1, while on-duty, on or about May 19, 2007, at a location known to this Department, in Bronx County, after having been scheduled to perform a tour at 2315 hours to 0750 hours, said officer was absent from said assignment at 2315 hours and did not report until 0035 hours, a period of 1 hour and 20 minutes without leave.

P.G. 203-03, Page 1, Paragraph 3 – COMPLIANCE WITH ORDERS

COURTESY • PROFESSIONALISM • RESPECT

4 Said Police Officer Flamond Beecham assigned as indicated in Specification #1, while on-duty, on or about May 20, 2007, at a location known to this Department, in Bronx County, was absent from said assignment without permission or police necessity to wit said officer was absent for approximately 20 minutes after the conclusion of said officer's scheduled meal period

P G 203-05, Page 1, Paragraph 2 – PERFORMANCE ON DUTY – GENERAL REGULATIONS

5 Said Police Officer Flamond Beecham assigned as indicated in Specification #1, while on-duty, on or about May 20, 2007, at a location known to this Department, in Bronx County, did wrongfully and without just cause fail to respond to a radio transmission

P G 203-05, Page 1, Paragraph 2 – PERFORMANCE ON DUTY – GENERAL REGULATIONS

6 Said Police Officer Flamond Beecham assigned as indicated in Specification #1, while on-duty, on or about May 20  
County, did wrongfully and without just cause did take an unauthorized meal period for approximately 20 minutes after the conclusion of said officer's scheduled meal period without prior authorization or notification to said officer's command

P G 212-02, Page 1, Paragraph 4 – MEAL PERIOD

The Department was represented by Rudolph Behrmann, Esq , Department Advocate's Office, and Respondent was represented by Craig Hayes, Esq

Respondent, through his counsel, entered a plea of Not Guilty to Specification Nos 1 and 5, and a plea of Guilty to Specification Nos 2, 3, 4, and 6 A stenographic transcript of the trial record has been prepared and is available for the Police Commissioner's review

DECISION

Respondent, having pleaded Guilty to Specification Nos 2, 3, 4 and 6, is found Guilty of Specification Nos 2, 3, 4, and 6  
Nos 1 and 5

SUMMARY OF EVIDENCE PRESENTEDThe Department's Case

The Department called Lieutenant John Andersen as its sole witness

Lieutenant John Andersen

Andersen is a 17-and-a-half-year member of the Department currently assigned to the Transit Homeless Outreach Unit. He testified that on May 20, 2007, he became involved in an investigation regarding Respondent. He was the Integrity Control Officer (ICO) of Transit District 11 at that time and one of his functions was to investigate the Command Disciplines (CDs) that Respondent had received. He explained that Respondent had received CDs from Sergeant Henry Ocasio. [Ocasio has since retired from the Department.] He recalled that the CDs were for being absent without leave, being discourteous to a supervisor, failing to arrive to work on time, taking an unauthorized meal, and not responding to a radio transmission.

With respect to the discourtesy allegation, Andersen said he learned from his investigation that Ocasio had a discussion with Respondent in regard to a temporary assignment. Ocasio felt that Respondent was discourteous in his reply. Respondent had snapped his teeth, looked down at him, and failed to show up to the assignment. When Ocasio reached out to Respondent via telephone and told him that he was supposed to be at work, Respondent replied in sum and substance, 'I'll have my hook' or 'I'll have my phone call call you,' and then Respondent hung up the telephone while Ocasio was still on the telephone line. Andersen explained that Respondent was recently assigned to the First Platoon tour 11 15 p.m. to 7 50 a.m. at Transit District 11. Shortly after being

assigned to this new tour. Respondent was going to be temporarily assigned to another unit in the Department called the In-Tac Unit for the purposes of training for the Department's boxing team. Respondent informed Ocasio that the notification for the temporary assignment should have come down. At the time of the original conversation between Respondent and Ocasio held on May 18, 2007 around 11:30 p.m., no such notification of the transfer had been received. Ocasio informed Andersen that he checked the Finest messages and the telephone message log and no such transfer was reported.

Respondent told Ocasio that it will come down and he will make a telephone call to make sure. At a later time, a telephone message did come down indicating that Respondent was now transferred to the In-Tac Unit of the Police Academy effective May 21, 2007. Andersen said that the odd thing was that the notification did not give a time. Normally a transfer has an effective time of 12:01 a.m., but this one did not give a time when it went into effect.

Once the message was received, Respondent stated that he did not have to work Saturday or Sunday, which was May 19, and 20, 2007. Ocasio reviewed the message and informed Respondent that it did not state that he had Saturday and Sunday off and as such, since Respondent was still assigned to Transit District 11, he had to work Saturday night and Sunday night. Andersen explained that Respondent would have to work from 11:30 p.m. May 18, 2007 until 7:50 a.m. on May 19, and then he would be due back at 11:15 p.m. on May 19 and work until the morning of May 20. Respondent did not initially show up to work. Captain Gildea approved calling Respondent at his residence. No one answered the telephone so a message was left. Respondent's mother was also

called and a message was left there informing Respondent that he had to report to work. About ten minutes later, Respondent called the command.

Respondent spoke to Ocasio who inquired why Respondent failed to report for duty despite three supervisors telling him that he had to work. Andersen recalled Ocasio telling him that Respondent said to him that he was not coming in. Respondent then said words to the effect, "I'll have my hook call you," and then tried to clarify the statement by saying, "I'll have my phone call call you," and then he hung up the telephone on Ocasio while Ocasio was still on the line. Andersen said his investigation revealed that Respondent was referring to the person he reported to on the boxing team, Lieutenant David Siev.

According to Andersen, Respondent eventually did appear at Transit District 11 ready for duty at 12:35 a.m. when his tour actually began at 11:15 p.m. the night before. Andersen said that Ocasio had been performing desk duty functions when Respondent walked into the command, did not acknowledge the desk officer and proceeded to the back. The time was 12:20 a.m. Respondent later appeared in front of the desk in uniform at 12:35 a.m. Andersen said that Ocasio was very agitated about his conversation with Respondent and the fact that Respondent hung up the telephone on him.

Respondent was assigned to a fixed post near the booth area at the 138 Street and Grand Concourse subway station on the No. 2 and No. 5 line. He was scheduled to take his meal from 1:30 a.m. to 2:30 a.m. Andersen said that Respondent, however, did not begin his meal until 1:50 a.m. Ocasio arrived at the station at approximately 2:35 a.m. and began to search for Respondent. He searched from the top of the station down into the station near the booth where Respondent was supposed to be on his fixed post. He

then checked physically and visually the south and the north side of the train station. There were three doors. Andersen said Ocasio checked each door. One was a bathroom and Respondent was not there. The second door he did not have access to, and the third door had a key. He attempted to gain entry into that door, but he could not. He learned later on that the third door was a room where police officers and transit workers used as a break room. After being unable to locate Respondent, Ocasio raised a dispatcher over the radio and requested that he call the post number where Respondent was assigned to. The dispatcher informed him that he called the number two times with negative results. Ocasio then asked for a time check and was informed that it was 2:36 a.m. and Ocasio wrote that time in his Activity Log. Respondent had not responded to any radio calls. . . . reach him. Andersen said Ocasio tried to reach Respondent one time and the dispatcher tried to reach him two times.

Andersen said that during his official Department interview of Respondent regarding not responding to his radio, Respondent stated that it was very quiet but his radio was not working properly at that time. Andersen inquired whether he checked the radio and Respondent said he did not. Respondent did state, however, that at some point later in the tour the radio was working again.

During cross-examination, Andersen stated that when he eventually interviewed Ocasio regarding the conversation he had with Respondent about reporting to work, Ocasio was still angry about the matter. He could not recall if he asked Ocasio if he was still angry with Respondent on the date he went to the station looking for him. Andersen was asked whether the post Respondent had was a punishment post. Andersen said that posts change and no one has the same post every day. He noted that the post Respondent



was assigned is at the end of the train line and quiet with fewer passengers. Andersen said he could not recall a situation where a police officer got in trouble and after receiving a CD or Charges and Specifications, his or her next post assignment was the end-of-the-line post.

Andersen acknowledged that even though a police officer is assigned to a fixed post, there are times when he can leave the location. He acknowledged that if a police officer requests assistance, an officer on a fixed post can leave and assist. He agreed that if a police officer sees a crime in progress, he can leave his fixed post and address the matter. He also agreed that if a police officer on a fixed post sees a suspicious person or package, he can leave his fixed post and investigate.

Andersen was asked whether there are times when there are radio failures in the subway station. He stated that there are times when the levels of noise are loud or a moving train can cause radio failure. Andersen acknowledged that prior to being the ICO, he had radio failure in the transit system and had radio failure.

Andersen acknowledged that as Ocasio informed him of his conversations with Respondent, he never stated that Respondent yelled at him or used profanity. He agreed that about ten minutes after the conversation ended between Ocasio and Respondent, Ocasio did receive a telephone call from Siev who was the supervisor of the boxing team. Andersen agreed that there were likely instances where a member of the service was transferred to a new command and accommodations were allowed for days off.

Andersen stated that he believed the cover all of the misconduct was two Schedule "B" CDs. He stated that Ocasio agreed he would recommend this to the Commanding Officer. Andersen acknowledged that the

maximum penalty for each CD would be the forfeiture of ten vacation days. He said that the Commanding Officer made the final decision as to the penalty recommendation.

### Respondent's Case

Respondent testified in his own behalf.

### Respondent

Respondent is a six-and-a-half-year member of the Department currently assigned to Transit District 11. He testified that upon completion of the Police Academy, he was assigned to Citywide Impact which was under the auspices of Transit District 12. He did that for six months and then was assigned to Transit District 11.

Respondent testified that in May 2007 he was a member of the New York City Police Department (NYPD) Finest Boxing Team. He said that he is currently still a member of the team and the team was headed by Siev. When asked who was his supervisor, Siev or the supervisors at Transit District 11, Respondent testified that the supervisors of Transit District 11 were his supervisors. Respondent stated that the typical practice before a boxing event against the New York City Fire Department (FDNY) would be that two to three weeks prior to the event, boxers would be reassigned to the Police Academy and they would train from Monday to Friday each week. Respondent testified that on May 19, 2007, he was assigned to Transit District 11. He expected a transfer to the Police Academy where he would work from Monday through Friday. He explained that at least twice prior to May 19, 2007, he had boxing events scheduled and received the transfer. He further explained that he did not think before this latest event



that he would have to work ten days straight with no days off. He thought that if he were assigned to the Police Academy and trained Monday to Friday, that he would have May 19 a Saturday, and May 20 a Sunday as days off from work.

While assigned to Transit District 11, Respondent said that he spoke to Siev who informed him that normally he would be scheduled for two days off prior to his assignment to the Police Academy on Monday. Respondent acknowledged that he was scheduled to work at Transit District 11 on Saturday, May 19, 2007 and Sunday, May 20, 2007. He agreed that Siev never told him that he did not have to work those two days only that he should get those two days off. Respondent acknowledged that he never received authority from Ocasio or any other supervisor at Transit District 11 to take those two days off from work. Respondent agreed that there was a delay in receipt of the orders transferring him regarding the boxing team, but he was still scheduled to work the weekend at Transit District 11. Respondent said he never take those two days off and he was never granted permission to take them off either.

Respondent stated that he recalled having a conversation with Ocasio regarding those two days off. Ocasio told him over the telephone that he had to come in. Respondent told Ocasio that Siev said that he would call him. Respondent said he recalled saying words to the effect, "Lieutenant Dave Siev said that if there's a problem with me getting off, he'll call." Respondent denied raising his voice, uttering profanity or hanging up the telephone on Ocasio midsentence or by slamming the telephone down. He said the telephone conversation was short and he did not think he said anything that was discourteous. Looking back, Respondent agreed that he should have reported for duty on Saturday, May 19, 2007 without a telephone call being made to him. He

admitted that he made a mistake but thought things would have worked out with the days off and the transfer to the Police Academy, but it did not. Respondent stated that he did report for duty on Saturday, but he reported late.

Respondent said that after reporting for duty late, he was scheduled to take his meal at 1:30 a.m. He explained that he did not take his meal at that time because he was looking for activity. He knew Ocasio was mad at him and he felt that if he got some police activity, it would be a sign of good faith. Respondent acknowledged that the post at the end of the subway line was a fixed post. He said that he could not recall ever working that post as a fixed post, but he had worked fixed posts in the past. He agreed that he left the immediate area of the fixed post. Respondent stated that he did not make an arrest or issue a summons, he only completed a Stop, Question and Frisk report for, he believed, a suspicious male.

Respondent said that he did not receive the radio transmission from Ocasio. He also did not hear the radio dispatcher trying to raise him over the radio either. He acknowledged that he has spent his entire career working in the Transit Bureau and there were times when he tried to communicate over the radio with no success, or learned that others tried to communicate with him while he was in the train station to no avail.

During cross-examination, Respondent stated that he has been affiliated with the boxing team since 2005. He went to a practice while in the Police Academy and was told that once he graduated, he could join the team. He explained that only during FDNY matches would one be reassigned to the Police Academy for training. He said this was not the normal practice for other boxing matches. Respondent said that he worked May 19, 2007 and thought he would be off May 20, 2007. He acknowledged that he was

waiting for confirmation from Siev before actually reporting to work. He also acknowledged that during the telephone conversation with Ocasio, he told him that Siev would call him. Respondent denied hanging up the telephone on Ocasio; he stated that the conversation was over.

With respect to his meal period, Respondent admitted that he took his meal break later than he was supposed to. He stated that he could not recall receiving any radio transmissions while in the train station. He said that he did not see Ocasio while in the station, and he did not recall receiving a transmission from Ocasio to contact Transit District 11. Respondent was questioned as to why he contacted the command at 3:30 a.m. Respondent said he was new. He seemed to recall a procedure called "the ring"<sup>1</sup> where it was a requirement to contact the command and he speculated that that was the reason he called the command. Respondent denied testing his radio while in the train station to see if it worked, but he recalled hearing a transmission so he knew his radio was operable.

Respondent said that he took his meal hour in the locker room. He could not recall anyone coming to the door and trying to open it. Respondent denied that he was sleeping in the room. Respondent stated that he recalled having a conversation with Ocasio that night, but the event was so long ago that he could not recall if he spoke with him at the 138 Street station or back at the command.

Respondent stated that the first time he informed Ocasio about the change in tour was Friday night going into Saturday morning. He seemed to recall that Ocasio was unsure about what Respondent said and did not give him a specific order at that time. Respondent said he believed he asked a Sergeant Donnley if he was aware of the practice.

---

<sup>1</sup> See Patrol Guide procedure 202-21, paragraph 12.

but he could not recall what Donnley said. Respondent said he could not recall if Donnley said that he had to show up for work. Respondent agreed that when he left his command on the morning of May 19, he was unsure whether he had to report for duty on the evening of May 19. He also agreed that he had no direction from any supervisor regarding what to do. Respondent acknowledged that the first time he understood that he had to report for duty was during the telephone conversation on the evening of May 19 going into May 20 when he received the telephone call from Ocasio.

Respondent acknowledged that no one from Transit District 11 told him that he had the weekend off. He also acknowledged that he did not submit a Leave of Absence Report to get the days off. Respondent agreed that it was his duty to show up to work given the fact that he was unclear as to what to do.

Upon questioning by the Court, Respondent stated that he did not think he referred to Siev by stating, "Lieutenant Siev" in the conversation with Ocasio. He thought he either said "Siev" or "the lieutenant from the boxing team." He denied ever saying that he would, "call his hook." Respondent also denied having any problems with getting a transfer during the other two FDNY boxing matches.

During further cross-examination, Respondent said that on the previous two occasions when his tour was changed, he did not know for certain if Siev facilitated the tour change by being the liaison or the person who made the actual change. Respondent said if there was a "trip" coming up and a member put in a Leave of Absence Report and had problems, Siev would make a call and try to talk to someone to get the days off for the member. Respondent said he would not consider Siev to be his "phone call."

FINDINGS AND ANALYSISSpecification No. 1

Respondent stands charged herein with being discourteous to New York City Police Sergeant Henry Ocasio, to wit said officer stated, "I'll call my hook" then hung up the telephone on said Sergeant after being ordered to report to work Respondent is found Guilty Evidence adduced at trial was established through the hearsay testimony of Andersen who interviewed Ocasio prior to his retirement from the Department Andersen testified that Respondent said to Ocasio, "I will call my hook," or "I will call my phone call" and then Respondent hung up the telephone while Ocasio was still on the telephone line attempting to establish why Respondent had not reported for duty

Whether Respondent said, "I will call my hook" or "I will call my phone call," is really not the gravamen of the discourtesy The discourtesy is the fact that Respondent hung up the telephone while Ocasio was still on the telephone line Andersen said when he interviewed Ocasio some time after the incident, Ocasio was still upset by this fact Respondent argued at this proceeding that he was not discourteous in his conversation with Ocasio and that the conversation had ended The truth of the matter was that Ocasio placed the call to Respondent to determine why he was not at work and what time Respondent would be reporting for duty The answers to these questions were not determined because Respondent ended the telephone call that he did not place

Accordingly, Respondent is found Guilty of Specification No. 1

Specification No 2

Respondent stands charged herein with wrongfully and without just cause refusing to comply with a lawful order from Ocasio to report to work Respondent having pleaded Guilty to this Specification is found Guilty Respondent admitted that he failed to report to work at the start of his tour on May 19, 2007 despite being directed to report to work by Ocasio

Accordingly, Respondent having pleaded Guilty to Specification No 2 is found Guilty of Specification No 2

Specification No 3

Respondent stands charged herein with being scheduled to report for duty on May 19, 2007 from 11 15 p m , but being absent without leave from his assignment until 12 35 a m a period of one hour 20 minutes Respondent having pleaded Guilty is found Guilty as charged Respondent acknowledged at trial that he failed to report for duty until 12 35 a.m and had not been excused from reporting to work by any supervisor, nor had he submitted a Leave of Absence Report for this time

Accordingly, Respondent having pleaded Guilty to Specification No 3 is found Guilty of Specification No 3

Specification No 4

Respondent stands charged herein with being absent from said assignment without permission or police necessity on March 20, 2007, to wit said officer was absent for approximately 20 minutes after the conclusion of said officer's scheduled meal

period Respondent having pleaded Guilty is found Guilty Respondent admitted that his scheduled meal period ended at 1 30 a m but he did not take his meal until 1 50 a m because he was trying to get police activity to show good faith to Ocasio who was mad at him Respondent acknowledged that he was working a fixed post with a set meal period and was not on his post after his scheduled meal period ended

Accordingly, Respondent having pleaded Guilty to Specification No 4 is found Guilty of Specification No 4

#### Specification No 5

Respondent stands charged herein with wrongfully and without just cause failing to respond to a radio transmission on May 20, 2007 Respondent is found Guilty

Evidence adduced at trial established that Respondent was assigned to a fixed post near the booth area at the 138 Street and Grand Concourse subway station He was scheduled to take his meal from 1 30 a m to 2 30 a m Ocasio arrived at the station at 2 35 a m and began to search for Respondent Ocasio attempted to reach Respondent by radio with negative results Ocasio had the radio dispatcher attempt to reach Respondent by calling the post number where he was assigned The dispatcher tried twice with negative results Ocasio asked for a time check and was given the time of 2 36 a m

Respondent testified that his radio was working because he did hear other transmissions while in the station, but he did not hear Ocasio or the dispatcher trying to reach him Respondent acknowledged that he was assigned to a fixed post on that date and at the time of the transmissions, he was not on his fixed post as required Although Respondent testified that there are times in the subway station that there are problems



with radio transmissions. However, the fact that Respondent was off of a fixed post when his supervisor attempted to locate him seems to have a direct correlation to his failure to respond to his radio at the same time which is cause for concern.

Accordingly, Respondent is found Guilty of Specification No. 5.

Specification No. 6

Respondent stands charged herein with wrongfully and without just cause taking an unauthorized meal period on May 20, 2007 for approximately 20 minutes after the conclusion of said officer's scheduled meal period without prior authorization or notification to said officer's command. Respondent having pleaded Guilty is found Guilty.

Respondent acknowledged that he was assigned to a fixed post on May 20, 2007. His scheduled meal period was from 1:30 a.m. to 2:30 a.m. He admitted that he did not take his meal period at 1:30 a.m., but instead left at 1:50 a.m. because he was trying to get police activity by either issuing a summons or making an arrest. Respondent acknowledged that he was neither authorized nor made a notification to his command that he was changing his meal period. In fact, his supervisor Ocasio came to his fixed post after his meal period and Respondent was not at his fixed post. Respondent had already reported for duty one hour and 20 minutes late for work and was now not on his fixed post as directed.

It is noted by the Court that Charges and Specifications Nos. 4 and 6 are substantially similar by charging Respondent with being absent from his assignment 20 minutes after the conclusion of his meal period and taking an unauthorized meal period.

without prior authorization or notification to his command. However, the Court accepts the Respondent's Guilty plea to both specifications.

### PENALTY

In order to determine an appropriate penalty, Respondent's service record was examined, see *Matter of Pell v* 34 N.Y.2d 222 (1974).

Respondent was appointed to the Department on July 1, 2004. Information from his personnel folder that was considered in making this penalty recommendation is contained in the attached confidential memorandum.

Respondent has pleaded Guilty to 1) wrongfully and without just cause refusing to comply with an order from Ocasio to report to work on May 19, 2007, 2) after being scheduled to work from 11:15 p.m. on May 19, 2007 to 7:50 a.m. the following day, Respondent did not report to work until 12:35 a.m. and was one hour 20 minutes absent without leave, 3) on May 20, 2007 Respondent was absent for 20 minutes after his scheduled meal period, and 4) was absent for 20 minutes without prior authorization or notification to his command.

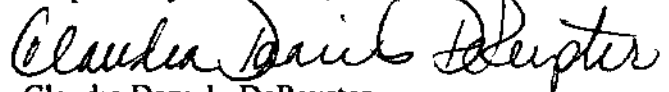
Respondent has also been found Guilty of being discourteous to Ocasio by stating to him in sum and substance, "I'll call my hook," then hanging up the telephone while Ocasio was still on the telephone ordering him to report to work. Whether Respondent said, "I will call my hook" or "I will call my phone call" is not the end of the discourtesy. What exacerbated the discourtesy was the fact that Respondent hung up the telephone call on a sergeant who placed the call to him to ascertain why he was not at work. The person who should have ended the call was the sergeant who placed it. Instead.

Respondent, who testified at this trial, stated that the conversation was over. His lack of regard for a supervisor on the other end of the telephone line resulted in this finding of his guilt. Respondent did not wait for Ocasio to conclude his conversation with him and determine what time Respondent would be at work.

Respondent was also found Guilty of failing to respond to a radio transmission on May 20, 2007. In addition to Respondent reporting to work one hour and 20 minutes late, he failed to remain at the site of his fixed post. Not only did Ocasio attempt to raise Respondent on the radio, and Ocasio had the radio dispatcher attempt to do so twice with negative results twice, but Ocasio also went to the station and searched for Respondent who was not at his fixed post. Respondent's failure to respond to his radio appears to be directly correlated to the fact that he was nowhere near his post when transmissions were made to him.

The Assistant Department Advocate asked for a penalty of the forfeiture of 30 vacation days. I agree. Respondent's lack of regard for a superior officer, coupled with his lackadaisical attitude when ordered to report for duty is inexcusable. The fact that Respondent thought he would get the weekend off from work based on past experience does not excuse his actions.

Respectfully Submitted,



Claudia Daniels-DePeyster  
Assistant Deputy Commissioner - Trials

**APPROVED**  
DEC 12 2011  
  
RAYMOND W. KELLY  
POLICE COMMISSIONER

POLICE DEPARTMENT  
CITY OF NEW YORK

From Assistant Deputy Commissioner – Trials  
To Police Commissioner  
Subject CONFIDENTIAL MEMORANDUM  
POLICE OFFICER FLAMOND BEECHAM  
TAX REGISTRY NO 934467  
DISCIPLINARY CASE NO 84601/08

In 2010 and 2009, Respondent received an overall rating of 3.0 'Competent' on his annual performance evaluations. In April 2008, Respondent received an interim evaluation of 2.5 'Below Competent,' which was low in behavioral dimensions. In 2007, Respondent received a rating of 3.0 'Competent' on his annual performance evaluation. Respondent has not received any medals in his career to date.

[REDACTED]  
[REDACTED] Respondent was placed in Level I Performance Monitoring from September 14, 2007 through November 4, 2008, based on his negative Performance Evaluations. On May 15, 2011, Respondent was suspended from duty based on [REDACTED] dispute with the [REDACTED]. No order of protection was issued nor was Respondent arrested. The case is currently pending before the Transit Bureau Investigations Unit.

Respondent has no prior formal disciplinary record.

For your consideration

  
Claudia Daniels-DePeyster  
Assistant Deputy Commissioner – Trials