



STATE OF NEW JERSEY

In the Matter of Connie Breech City of Asbury Park, Police Department

CSC DKT. NO. 2015-1900 OAL DKT. NO. CSV 00440-15 FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

ISSUED: NOVEMBER 5, 2015

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The appeal of Connie Breech, Police Sergeant, City of Asbury Park, Police Department, demotion to Police Officer and 30 working day suspension, on charges, was heard by Acting Director and Chief Administrative Law Judge Laura Sanders, who rendered her initial decision on October 6, 2015. Exceptions were filed on behalf of appellant and a reply to exceptions was filed on behalf of the appointing authority.

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Having considered the record and the Administrative Law Judge's initial decision, and having made an independent evaluation of the record, the Civil Service Commission, at its meeting on November 5, 2015, accepted and adopted the Findings of Fact and Conclusion as contained in the attached Administrative Law Judge's initial decision to uphold the demotion to the title of Police Officer and reverse the suspension. Since the 30 working day suspension has been reversed, the appellant is entitled to 30 days of back pay, benefits and seniority.

N.J.A.C. 4A:2-2.12(a) provides for the award of counsel fees only where an employee has prevailed on all or substantially all of the primary issues in an appeal of a major disciplinary action. The primary issue in the disciplinary appeal is the merits of the charges. See Johnny Walcott v. City of Plainfield, 282 N.J. Super. 121,128 (App. Div. 1995): In the Matter of Robert Dean (MSB, decided January 12, 1993); In the Matter of Ralph Cozzino (MSB, decided September 21, 1989). In the case at hand, although the penalty was modified by the Commission, charges were sustained. Consequently, as appellant has failed to meet the standard set forth at N.J.A.C. 4A:2-2.12, counsel fees must be denied.

ORDER

The Civil Service Commission finds that the action of the appointing authority in demoting the appellant to Police Officer was justified. However, the Commission finds that the 30 working day suspension was not justified. The Commission therefore upholds the demotion and reverses the 30 working day suspension. Accordingly, the appellant is entitled to 30 days of back pay as provided for in *N.J.A.C.* 4A:2-2.10. Proof of income earned shall be submitted by or on behalf of the appellant to the appointing authority within 30 days of issuance of this decision.

Counsel fees are denied pursuant to N.J.A.C. 4A:2-2.12.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE CIVIL SERVICE COMMISSION ON NOVEMBER 5, 2015

Robert M. Czech

Chairperson

Civil Service Commission

Inquiries and

Correspondence

Henry Maurer

Director

Division of Appeals and Regulatory Affairs

Civil Service Commission

Unit H

P. O. Box 312

Trenton, New Jersey 08625-0312

attachment



INITIAL DECISION

OAL DKT. NO. CSV 00440-15 AGENCY DKT. NO. 2015-1900

IN THE MATTER OF CONNIE BREECH,
CITY OF ASBURY PARK, POLICE DEPARTMENT.

Leonard C. Schiro, Esq., and David M. Bander, Esq., for appellant Connie Breech (Mets Schiro McGovern, attorneys)

Steven S. Glickman, Esq., (Law Office of Steven S. Glickman, attorneys) and Erik E. Sardina, Esq., (Lite DePalma Greenberg, attorneys) for respondent City of Asbury Park

Record Closed: September 16, 2015 Decided: October 6, 2015

BEFORE LAURA SANDERS, Acting Director & Chief ALJ:

STATEMENT OF THE CASE AND PROCEDURAL HISTORY

Appellant Connie Breech appeals the action by the City of Asbury Park Police Department (the Department, or respondent) imposing a thirty-day suspension and demoting her from the position of police sergeant to police officer, effective January 1, 2015. She contends she did not demonstrate a pattern of conduct that supports the charges of incompetency, neglect of duty, or other sufficient cause. Rather, she argues that her decisions were appropriate.

Sergeant Breech was served with a Preliminary Notice of Disciplinary Action (PNDA) on April 29, 2014. The Final Notice of Disciplinary Action (FNDA), which was served on December 31, 2014, does not indicate whether Sergeant Breech asked for or received a departmental hearing. The FNDA suspended Sergeant Breech for thirty days effective January 1, 2015, and also demoted her to police officer on that date. Her appeal of the discipline was dated January 2, 2015, and the Civil Service Commission transmitted the contested case to the Office of Administrative Law, where it was filed on January 9, 2015. The hearing was held on September 16, 2015, and the record closed

FACTUAL DISCUSSION

Three incidents form the basis for the charges against Sergeant Breech, who is charged with a pattern of poor decision-making. Each is described separately below.

The June 25, 2012, Incident

The parties agree that on June 25, 2012, Sergeant Breech was working as shift commander from the police station, when officer Ahmad Lawson called her to report on a call for sexual assault. The alleged victim, M.C., told officers that she had been the subject of an attempted rape by two men. She also told them that the men had ripped off her bra. She identified two men as being involved in the incident, although ultimately police determined that three men had been there at the time the incident occurred. Due to language difficulties, a Long Branch officer who frequently interprets for them was called, as was detective Javier Campus. Detective Gabriel Carrasquillo also arrived. The four persons all were transported to the Asbury Park Police station, where they were separated and questioned. All parties agree that charges were filed against M.C. for filing a false complaint, and against the three men for disorderly conduct. They also agree that Asbury Park has a general practice of having sergeants or other superior officers actually file the charges on behalf of officers, instead of rank-and-file police officers.

The issue is the disorderly conduct charges. Detective Carrasquillo testified that at one point, he told M.C. that police were retrieving a camera from behind the store at which she allegedly was assaulted. She then changed her story, saying that one of the men had paid her \$20 for intercourse, decided he was unhappy, and enlisted the aid of his friends in trying to retrieve the money. She said they pushed her into the side of a The extent of Detective Carrasquillo's conversation with the men was unclear, but both he and Detective Campus testified that they told Sergeant Breech they thought no charges against the males were warranted. Both noted the fact that M.C.'s first story was false. Detective Carrasquillo also said he told her that the three were trying to get citizenship, and charges might harm them in that effort. Sergeant Robert Armento, who on the date of the first incident was in the first week of his working test period as a sergeant, also was at the scene, as well as in the police station when the follow-up questioning occurred. Like the others, he testified that while he thought charges of filing a false complaint against M.C. were merited, he did not think there was enough evidence to support probable cause for trespassing, solicitation of prostitution, or disorderly conduct against the three males. Court records show that the complaints under N.J.S.A. 2C:33-2(a), which is disorderly conduct, improper behavior, were signed by Sergeant Armento on June 25, 2012. He testified that although he never refused to sign the charges, he did not actually sign them and did not know they had been filed until later that night. He did not understand it to be common for a sergeant to file Moreover, Sergeant Armento said it was his charges for another sergeant. understanding that the parking lot in which the events occurred is an open parking lot. Additionally, he understands that probable cause for prostitution requires actually seeing the act, which did not happen. Although he recalled speaking briefly with detectives Carrasquillo and Campos, he believes the person who told him solicitation was involved was Sergeant Breech.

The appellant, who was promoted to sergeant in 2008, said that she believed the charges were warranted because the three men had committed the crime of trespassing in the parking lot behind the drug store, and there was a lot of yelling and screaming surrounding the incident. Moreover, Detective Carrasquillo told her one of the men admitted to paying M.C. \$20 for sex and then trying to get the \$20 back from her. With

regard to using Sergeant Armento's name, she noted that most officers do not do their own complaints.

With regard to the policing question as to whether the charges were correct, the Department offered a hearsay letter from the Monmouth County Prosecutor's Office (R-1) and testimony from acting police chief Anthony J. Salerno, Jr. The letter, which is signed by acting assistant Monmouth County prosecutor Jacquelynn F. Seely, on behalf of acting Monmouth County prosecutor Christopher J. Gramiccioni, states that the office conducted an investigation into the matter and reached the conclusion that there was insufficient probable cause. (The letter, which played a role in triggering the April PNDA, was received on January 8, 2014.) It further notes that the action was taken by Breech logging "onto the computer as another sergeant, so it would appear that Sergeant Armento was actually the person who issued those complaints." (Ibid.) Chief Salerno testified that in his view, the appellant should have recognized that probable cause was lacking, as disorderly conduct in general requires the conduct to occur in the presence of a police officer. Arresting without probable cause is a serious problem because it violates someone's civil rights. Further, it diminishes the reputation of the Department and violates the City's agreement with the Administrative Office of the Courts.

The factual issue is whether Sergeant Breech filed illegal charges. One of the troubling aspects is the background disagreement as to the facts on which the charges were based. Two of Sergeant Breech's rationales were the presence of a lot of yelling and screaming and the act of trespassing. None of the three officers on site mentioned noise as a problem, and Sergeant Armento testified credibly that although the parking lot was behind a drug store, it was essentially an open lot. While one could characterize the statement from one man as an admission, Sergeant Armento's credible testimony was that the crime of prostitution actually requires the witnessing of the crime, which did not occur. As regards the push into the dumpster, which might be viewed as a form of assault, the credible testimony showed that none of the officers who interviewed M.C. were comfortable basing a charge on a story that already had been changed once. Chief Salerno credibly testified that the disorderly persons charge required the offending act to be in the presence of a police officer. Finally, although it is hearsay, the letter

from the Prosecutor's Office is admissible to corroborate competent, credible evidence. Weston v. State, 60 N.J. 36 (1972). Based on the testimony from Chief Salerno, Sergeant Armento, and the two detectives, which is supported by the hearsay letter, I FIND as FACT that Sergeant Breech filed illegal charges against the three men.

The December 18, 2012, Incident

The parties agree that police officer William Whitley arrested K.M. at 1:05 a.m. and 2:08 a.m. on December 18, 2012. Because force was used both times, Officer Whitley filled out two different "use-of-force" forms. However, on the first one (R-8), the name "M.M." appears, the box concerning "resisted police officer control" is checked, and none of the boxes concerning the type of force used are checked. The second (R-9) has the proper name, and checks in the boxes for resisting control and compliance hold. (R-9.) The appellant testified that this was a simple failure to notice that the officer had failed to check a box. As her counsel pointed out, errors do occur, and, in fact, the specification concerning the incident has a typographical error, in that it places Whitley's arrests in 2013, not 2012.

Chief Salerno acknowledged that if the reports were separated, on a busy night, it might not have been obvious that Officer Whitley had arrested the same person twice. However, the use of force is a serious issue, such that the Monmouth County Prosecutor's Office has required for many years that forms documenting why force was used be in place in all instances. Thus, the failure to ensure that Officer Whitley completed the form meant that the officer never documented what he did. Had the incident resulted in some kind of inquiry or lawsuit, the gaping hole in the documentation could cause serious problems.

While the chief acknowledged that the two different names might reasonably have escaped a superior officer on a busy night, all sides concede that Sergeant Breech did not notice that one of the forms was not complete. Therefore, the failure to ensure that the form was completed properly is **FOUND as FACT**.

The January 2, 2014, Incident

The facts regarding the January 2 incident are not in dispute. Patrol officer Kevin Michael responded to a report of two brothers fighting, and found that while the older brother had left, the sixteen-year-old brother was still on site. Because it was potentially a domestic-violence incident, Officer Michael called in to Sergeant Breech, as was consistent with protocol. She directed him to arrest the adult brother. Since the older brother already had left, Officer Michael went back on patrol, returning later when he received a report that the brother was back on the scene, and that Neptune had an outstanding warrant for \$500 against him. Officer Michael arrested the older brother and brought him into headquarters. Although the Department had distributed a one-page document summarizing the procedures for potential domestic-violence situations, Officer Michael said the summary was not in his car, and he did not review a copy of the summary before charging the older brother with simple assault.

Sergeant Breech testified that for whatever reason, the domestic-violence summary also was not on the board in the shift office that night. So, she asked Lt. Todd Wilson whether he thought the facts fit the profile for a domestic-violence charge, to which he responded, "Yeah, yeah, yeah." As was consistent with the practice of having supervisors create the actual complaints, Sergeant Breech then typed up the complaint for simple assault, which Lieutenant Wilson approved by signing a document on the computer, which is characterized as an oath.

Lieutenant Todd Louis Wilson, who was shift commander that night, testified that it was an extremely busy night, and when he first heard about the arrest he "kind of blew it off," because he was working on the computer and had people on the telephone. He did not recall having a significant conversation regarding the particular facts and likely charges with Sergeant Breech. Shown a copy of the advisory chart on charging (J-12), he explained that in this instance, because the victim was under age eighteen and living at home, such that he was not emancipated, and the older brother was still a household member, this was not a situation in which domestic violence in the form of simple assault should have been charged. It was more appropriately treated as endangering the welfare of a child. He also stated that the State of New Jersey Domestic Violence

Procedures Manual (R-11) was online and available to all personnel. Additionally, the Department has a list of on-call advisors from the Monmouth County Prosecutor's Office who are available round-the-clock. Although Lieutenant Wilson is the person who signed the oath on the complaint, he said he did not actually read the complaint document, as it was a busy night, and he believed Sergeant Breech had properly reviewed the situation.

Chief Salerno testified that the Department's concern about this incident was identical to the earlier incident—the making of an illegal arrest. The subject spent a couple of weeks in jail, which should not have occurred. He noted that police officers rely on their superior officers for guidance and direction, and that it is crucial in domestic-violence situations to follow the proper procedures in order to secure protections for officers.

Based on the credible testimony from Lieutenant Wilson and Chief Salerno, I FIND as FACT that an illegal charge was filed with significant ramifications for the person involved. I also FIND that Sergeant Breech could have used either of the two online sources to ensure that the charge was appropriately filed. I also FIND credible appellant's testimony that she at least checked with Lieutenant Wilson, who, for whatever reason, paid the matter little attention, such that he signed off on the illegal charge.

With regard to whether the three errors constitute a pattern, the first erroneous decision regarding charges was made in June 2012. The failure with regard to ensuring completion of the use-of-force form occurred in December 2012. The second erroneous charge occurred on January 2, 2014. No further errors were charged for the whole of 2013, or the eleven-month period prior to the demotion and suspension effective January 2015. The record contains no information on how many judgment calls were made by the appellant during the 2012, 2013, and 2014 period. As to whether paperwork errors are common, not only is the specification wrong as to the year of one incident, the FNDA was not completed properly, since none of the boxes concerning whether a hearing was requested or held were checked.

LEGAL ANALYSIS AND CONCLUSION

A civil service employee who commits a wrongful act related to his or her duties, or gives other just cause, may be subject to major discipline. N.J.S.A. 11A:2-6; N.J.S.A. 11A:2-6; N.J.S.A. 11A:2-20; N.J.A.C. 4A:2-2.2; N.J.A.C. 4A:2-2.3. In an appeal from such discipline, the appointing authority bears the burden of proving the charges upon which it relied by a preponderance of the competent, relevant, and credible evidence. N.J.S.A. 11A:2-21; N.J.A.C. 4A:2-1.4(a); Atkinson v. Parsekian, 37 N.J. 143 (1962); In re Polk, 90 N.J. 550 (1982).

Here, Sergeant Breech is charged with violating N.J.A.C. 4A:2-2.3(a)(1), incompetency, inefficiency, or failure to perform duties; N.J.A.C. 4A:2-2.3(a)(7), neglect of duty; and N.J.A.C. 4A:2-2.3(a)(12), other sufficient cause. All three charges were brought for each of the three incidents. The Department alleges that Sergeant Breech also violated N.J.S.A. 40A:14-128, which makes continued employment of police officers "indeterminate and continuous during good behavior and efficiency."

Neglect of duty is not defined under the New Jersey Administrative Code, but the charge has been interpreted to mean that an employee has failed to perform and act as required by the description of their job title. Generally, the term "neglect" connotes a deviation from normal standards of conduct. In re Kerlin, 151 N.J. Super. 179, 186 (App. Div. 1977). It has been applied both to not fully carrying out duties and to acting incorrectly. See, e.g., In re Marucci, CSV 07241-09, Initial Decision (January 1, 2010), modified, CSC (March 6, 2010), http://njlaw.rutgers.edu/collections/oal/, aff'd, No. A-3607-09T1 (App. Div. January 3, 2012), http://njlaw.rutgers.edu/collections/courts/ (removal of a police officer with no disciplinary record where he failed to remove drugs from under a sewer grate and then lied about his actions); see also In re Dona, CSV 10782-08, Initial Decision (August 3, 2009), modified, CSC (August 8, 2009), http://njlaw.rutgers.edu/collections/oal/ (affirming twenty-day suspension for failing to pat down inmate properly, missing wooden shank). Certainly, the failure to catch the missing explanation on the use-of-force form constitutes a significant omission, and, thus, I CONCLUDE that the Department has met its burden with regard to that charge, as well as inefficiency.

With regard to the first erroneous-charge incident, the Department has met its burden with regard to showing that appellant made an inappropriate decision, which qualifies as a violation of N.J.A.C. 4A:2-2.3(a)(1), incompetency, inefficiency, or failure to perform duties, as well as N.J.A.C. 4A:2-2.3(a)(7), neglect of duty, and N.J.A.C. 4A:2-2.3(a)(12), other sufficient cause, in this instance violation of the Departmental Rules and Regulations that require every member to have a working knowledge of the law. The competent, credible evidence indicates that with regard to understanding the necessary elements to provide probable cause to support the disorderly persons charge, she did not. Moreover, the explanation for using Sergeant Armento's name instead of her own was inadequate. Sergeant Armento was of her rank (although newly), and although he never refused to sign the paper, he did not concur with her assessment of the situation. Thus, the use of his name suggested agreement, which was not present.

The second erroneous charge is also serious, but less so than the first, in that appellant did demonstrate an element of caution by checking with her supervisor. Her characterization of his response is consistent with his comment that he did not bother to give her query any thought. She had an independent duty to file the correct charge, but his response easily might have been interpreted as agreeing that she had the right charge, and that it was so obvious it merited little consideration. Just as officers need to be able to rely on sergeants, sergeants should be able to look to lieutenants for advice. Therefore, although I **CONCLUDE** that on its face, filing the wrong charge is sufficient to trigger a violation of all three causes for discipline charged, I do not conclude that it is part of a pattern of failing to recognize the seriousness of getting the elements of a charge right. Appellant did make the appropriate query; she simply got a response that might well have confused anyone as to what the lieutenant actually meant.

In sum, then, the Department has demonstrated one act of carelessness on an important form, two serious errors in a single charging incident, and a lesser error in charging that was not entirely appellant's fault. The question is whether these mistakes warrant demotion and the thirty-day suspension served.

In general, progressive discipline is the rule in Civil Service cases. <u>W. New York v. Bock</u>, 38 <u>N.J.</u> 500, 523 (1962). In determining the appropriateness of a penalty, several factors must be considered, including the nature of the employee's offense, the concept of progressive discipline and the employee's prior record. <u>George v. N. Princeton Dev. Ctr.</u>, 96 <u>N.J.A.R.2d</u> (CSV) 463. However, "judicial decisions have recognized that progressive discipline is not a necessary consideration when reviewing an agency head's choice of penalty when the misconduct is severe, when it is unbecoming to the employee's position or renders the employee unsuitable for continuation in the position, or when application of the principle would be contrary to the public interest." <u>In re Herrmann</u>, 192 <u>N.J.</u> 19, 28 (2007). Thus, progressive discipline has been bypassed when an employee engages in severe misconduct, especially when the employee's position involves public safety and the misconduct causes risk of harm to persons or property. <u>Ibid.</u> (quoting <u>Henry v. Rahway State Prison</u>, 81 <u>N.J.</u> 571, 580 (1980)).

Sergeant Breech had been employed with the Department since August 2000, or fourteen years, at the time the discipline was imposed. For nearly seven of those years, she had served as a sergeant. Her prior disciplinary history consisted of a single charge of rule violation and failure to discipline stemming from May 2008.

Many cases involving police demotions relate to attendance, which is not at issue here. Prior cases involving police or corrections allegations of poor judgment have resulted in both suspensions and terminations. In re Colon, CSV 00894-13, Initial CSC (February 12, 2013), modified, (November Decision http://njlaw.rutgers.edu/collections/oal/, involved a police lieutenant who failed to notify the deputy chief of a roll-call disruption by an intoxicated officer who repeatedly pulled his pants down. The Commission determined that a ten-day suspension was warranted, as the incident did not implicate the public in any way, and the lieutenant's disciplinary record consisted of two written reprimands and a two-day loss of holidays over a twenty-two-year period. In re Rosenberger, CSR 05637-12, Initial Decision 23, 2013). 2012), modified, CSC (January (October 10, http://njlaw.rutgers.edu/collections/oal/, involved the proposed termination of a correction officer who left the door to a new inmate's cell open and failed to document her unusual behavior. The Commission declined to terminate the officer in light of his discipline-free seven years of service, but did impose a ninety-day suspension, because failing to close the cell door was a significant omission and because regulations required him to report the inmate's odd behavior, especially as she had been transferred as a suicide watch.

In re Widiava, OAL Dkt. No. CSR 14570-11, Initial Decision (July 25, 2012), aff'd, CSC (September 19, 2012), concerned a correction sergeant who on one occasion failed to take control of a situation in which his subordinates were struggling with an inmate resisting arrest, and on a second occasion, a month later, failed to appear at the proper place in regard to an emergency code. The Commission determined that his failures endangered the institution and warranted termination. In an earlier case, In re DeSimone, CSV 02335-99, Initial Decision (November 17, 1999), modified, CSC (May http://njlaw.rutgers.edu/collections/oal/, the Commission affirmed termination on grounds that a police officer failed to tell the prosecutor's office or his superiors for over a year that the boyfriend of a woman who was murdered remarked to him during an earlier domestic-violence investigation that he "would be better off killing the bitch." The Commission determined that the failure "showed a complete lack of good judgment," made more egregious by the officer's thirteen years of experience. The Commission also noted that the disciplinary history also was marked by judgment errors, such as the failure to handcuff a prisoner during the arrest of a drunk driver, and discharging his firearm without properly identifying his target, which was later determined to be teenagers lighting firecrackers.

Here, Sergeant Breech made two serious errors in one incident that directly impacted public perception of the police. The domestic-violence incident also directly and negatively impacted the public, although she was not solely responsible for it. The use-of-force-form oversight had the potential to significantly affect public respect for policing, but had not actually done so at the time of hearing. Thus, the precedents that center on public trust and respect for the police would support demotion. However, appellant's disciplinary record is more in line with <u>Colon</u> and <u>Rosenberger</u>, where lesser penalties were affirmed. It is not clear why the respondent imposed the thirty-day

penalty along with the demotion. It was not identified with any particular incident, and therefore was not linked to any kind of progressive discipline.

On balance, I **CONCLUDE** that because all three errors relate to "the implicit standard of good behavior which devolves upon one who stands in the public eye as the upholder of that which is morally and legally correct," they relate to the core of command, and the respondent has carried its burden with regard to the demotion. <u>In re Emmons</u>, 63 N.J. Super. 136, 140 (App. Div. 1960); <u>Asbury Park v. Dep't of Civil Serv.</u>, 17 N.J. 419, 429 (1955); <u>In re Tuch</u>, 159 N.J. Super. 219, 224 (App. Div. 1978). However, no evidence supported the additional imposition of the thirty-day suspension, as it was not linked to any particular incident.

ORDER

For the reasons cited above, the demotion is hereby **AFFIRMED**, but the thirty-day suspension is not.

I hereby **FILE** my Initial Decision with the **CIVIL SERVICE COMMISSION** for consideration.

This recommended decision may be adopted, modified or rejected by the CIVIL SERVICE COMMISSION, which by law is authorized to make a final decision in this matter. If the Civil Service Commission does not adopt, modify or reject this decision within forty-five days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 52:14B-10.

Within thirteen days from the date on which this recommended decision was mailed to the parties, any party may file written exceptions with the DIRECTOR, DIVISION OF APPEALS AND REGULATORY AFFAIRS, UNIT H, CIVIL SERVICE COMMISSION, 44 South Clinton Avenue, P.O. Box 312, Trenton, New Jersey 08625-0312, marked "Attention: Exceptions." A copy of any exceptions must be sent to the judge and to the other parties.

October 6, 2015	Hiller Karice
DATE	LAURA SANDERS
	Acting Director and Chief
	Administrative Law Judge
Date Received at Agency:	October 6, 2015
Date Neceived at Agency.	
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Date Mailed to Parties:	October 6 2015
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WITNESSES

For Appellant:

Connie S. Breech

For Respondent:

Gabriel Carrasquillo

Javier Campos

Kevin Michael

Todd Louis Wilson

Anthony J. Salerno, Jr.

EXHIBITS

Joint:

- J-1 Final Notice of Disciplinary Action dated December 31, 2014
- J-2 Preliminary Notice of Disciplinary Action delivered April 29, 2014
- J-3 City of Asbury Park Police Department Rules and Regulations
- J-4 Statement of Robert Armento, dated August 8, 2012
- J-5 Statement of Gabriel Carrasquillo, dated June 25, 2012
- J-6 Memorandum to Captain Celso, Sergeant Ash, and Sergeant Williams from Det.

 Javier Campos dated June 28, 2012
- J-7 Memorandum to Sgt. Terry Williams from Sgt. Connie Breech, dated February 26, 2014
- J-8 Memorandum to Sgt. R. Ash from Ptl. K. Michael dated January 16, 2014
- J-9 Memorandum to Sgt. Robert Ash from Sgt. Connie Breech, dated January 14, 2014
- J-10 Complaint-Warrant for simple assault
- J-11 Domestic violence charging advisory sheet
- J-12 Rules and Regulations

For Appellant:

- A-1 Report of Police Officer Ahmed Lawson dated June 26, 2012
- A-2 Office of Professional Standards and Accountability (Internal Affairs) report dated February 14, 2014
- A-3 Memorandum to Capt. David Kelso from Sgt. Terry Williams dated April 15, 2014

For Respondent:

- R-1 Letter to Chief Mark Kinmon from Monmouth County Prosecutor's Office dated December 30, 2014
- R-2 Complaint Inquiry for M.L.-M. dated August 16, 2012
- R-3 Complaint Inquiry for G.L. dated August 16, 2012
- R-4 Complaint Inquiry for E.A. dated August 16, 2012
- R-5 Complaint—Summons for M.L.-M. dated June 25, 2012
- R-6 Complaint—Summons for G.L.
- R-7 Complaint—Summons for E.A. dated June 25, 2012
- R-8 Police Department Use of Force Report dated December 18, 2012
- R-9 Police Department Use of Force Report dated December 18, 2012
- R-10 Supplemental Domestic Violence Offense Report
- R-11 State of New Jersey Domestic Violence Procedures Manual
- R-12 Letter from Michael J. Sojciehowski, Special Deputy Attorney General, to All Chief Law Enforcement Executives, dated September 23, 2014