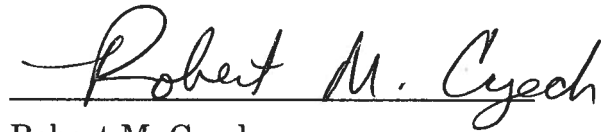


Re: Stephen Davis

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
JULY 30, 2014

A handwritten signature in cursive script that reads "Robert M. Czech". The signature is written in black ink and is positioned above a horizontal line.

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



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

OAL DKT. NO. CSV 11636-10

AGENCY DKT. NO. 2011-1462

**IN THE MATTER OF STEPHEN DAVIS,
MERCER COUNTY DEPARTMENT
OF PUBLIC SAFETY.**

Stuart J. Alterman, Esq., for appellant Stephen Davis (Alterman & Associates, attorneys)

Kristina E. Chubenko, Assistant County Counsel, for respondent Mercer County Department of Public Safety (Arthur R. Sypek, Jr., County Counsel)

Record Closed: January 13, 2014

Decided: May 28, 2014

BEFORE **RONALD W. REBA**, ALJ:

STATEMENT OF THE CASE

Respondent, Mercer County Department of Public Safety (hereinafter appointing authority), brings this disciplinary action against appellant, Stephen Davis. The appointing authority alleges that appellant, a county correction officer (hereinafter CO), committed conduct unbecoming, insubordination, and violation of departmental rules and/or regulations, for which he received a fine equivalent to a fifteen-day suspension.

PROCEDURAL HISTORY

On or about August 11, 2009, the appointing authority served appellant with a Preliminary Notice of Disciplinary Action (PNDA) dated July 28, 2009, charging appellant with: (1) N.J.A.C. 4A:2-2.3(a)(6), conduct unbecoming a public employee; (2) N.J.A.C. 4A:2-2.3(a)(2), insubordination; and (3) N.J.A.C. 4A:2-2.3(a)(11), other sufficient cause, specifically, (a) violation of rule, regulation, policy, procedure, order or administrative decision (D-15), SOP 004, and (b) insubordination: intentional disobedience or refusal to accept reasonable order, assaulting or resisting authority, disrespect or use of insulting or abusive language to supervisor (C-9), step 2. The appointing authority sought a fifteen-day suspension, or an equivalent fine.

The appointing authority issued a Final Notice of Disciplinary Action (FNDA) dated September 9, 2010, sustaining the charges and imposing a penalty of a fine of \$4,566.90, which is equal to a fifteen-working-day suspension. Appellant timely appealed the FNDA with the Civil Service Commission, and the appeal was transmitted to the Office of Administrative Law (OAL), where it was filed on October 21, 2010. The matter was heard on August 15, 2013, and the record remained open for receipt of transcripts and written summations from the parties. The record closed on January 13, 2014. Extensions for submission of the Initial Decision were granted for cause.

SPECIFICATIONS

The Final Notice of Disciplinary Action stated the following specifications regarding the incident giving rise to the charges:

On July 16, 2009 Stephen Davis refused to accept a packet of SOP's being distributed to Correction Officers and to sign a receipt acknowledging receipt of same. Davis also failed to comply with an order of Lt. Boné to submit an incident report by the end of the day documenting Davis's refusal to accept the SOP packet and provide the related receipt.

[J-2.]

TESTIMONY

Captain Richard Bearden

Captain Richard Bearden has been employed as a captain with the appointing authority since November 2004, having begun working as a CO in September 1990. One of Captain Bearden's duties is taking care of disciplinary matters. Captain Bearden testified that he prepared the disciplinary charges in this matter. He testified that this was appellant's second offense of insubordination, and according to the Mercer County Table of Offenses and Penalties a second offense of insubordination calls for a fifteen-working-day suspension. (R-1.) In addition, appellant was charged with violating a rule or regulation, specifically, SOP 004: Employee Handbook.

SOP 004 provides in relevant part as follows:

1.02.2 Officers/Correctional Employees are responsible for compliance with the lawful content of all current departmental rules, orders, and other directives whether transmitted in writing or verbal.

1.02.3 An Officer/Correctional Employee who is given an order which he or she feels is unlawful in that it conflicts with the law, departmental rules and/or policies, or with a previous order from a higher authority, will promptly and respectfully call the conflict to the attention of the Superior Officer giving the alleged conflicting order. If that Superior Officer does not withdraw or change the alleged conflicting order to avoid conflict, then the ordered Officer/Correctional Employee must first obey the order to the best of his or her ability and then may appeal the matter to the next authority above the authority who gave the order at issue.

[R-2.]

Captain Bearden testified that he became aware of the report of Lt. Eric Boné regarding the incident (P-1) when he was contacted by the warden. He then met with the warden, and was instructed by him to draft the charges against the appellant.

Captain Bearden testified that he did not speak to either Lieutenant Boné or any other individuals involved in this incident, including the appellant. He explained that the proper procedure for appellant would have been to first obey the directive of the superior officer, and to then grieve it with his union, or consult another officer who was superior to the lieutenant, including Captain Bearden. None of this was done.

Lt. Eric L. Boné

Lt. Eric L. Boné testified that in July 2009 he was the training supervisor, and his hours of work were 7 a.m. to 3 p.m. On July 17, 2009, Lieutenant Boné authored a report documenting an incident with appellant the day before. (P-1.) Lieutenant Boné testified that on July 16, 2009, Officer Robin Price was attempting to hand out a packet of Standard Operating Procedures (SOPs) to certain employees at the corrections center. This process had been going on for months prior to the date of this incident, and it was common knowledge that these SOPs were being disseminated. Officer Price returned to the training office and advised Lieutenant Boné that appellant had refused to accept the SOPs. Lieutenant Boné allowed a little time to pass, and then attempted to call appellant by way of radio. He could not reach appellant, and about twenty minutes later he tried calling again. Officer Davis responded that he was working on the detention-floor living unit. Lieutenant Boné then called the phone extension for the detention floor and spoke with appellant. This call took place at approximately 1:30 p.m. Appellant told Lieutenant Boné that he had known that he would be receiving a call regarding his conversation with CO Price. Lieutenant Boné told appellant that if he weren't going to sign for the SOPs he needed to write an incident report and turn it in before the end of the business day, which would have been by 3 p.m. Lieutenant Boné said that the conversation was very brief, and ended when appellant responded, "Okay, no problem." Boné stated that he fully expected CO Davis to come up to see him that day. Lieutenant Boné indicated that Davis did not discuss with him why he was not accepting the SOPs. Lieutenant Boné testified that he made it clear in speaking with appellant that appellant had to either sign for the SOPs or submit an incident report before the end of the business day. Appellant did not call him between 1 p.m. and 3 p.m., and did not attempt to contact his office the following work

day, either by phone or in-person. Lieutenant Boné confirmed that he never received an incident report. He testified that appellant finally signed for the SOPs on September 4, 2009, and his signature was acknowledged by Officer Price. (P-2.)

On cross-examination, Lieutenant Boné admitted that there had been some issues with the packet of SOPs that was being distributed by Officer Price. They were prepared by an outside printer, and some packets were missing pages. He stated that officers who came to him with issues with the SOPs had their issues resolved within a reasonable time period. Lieutenant Boné asserted that this case is about appellant failing to following a legitimate directive, and nothing more.

On re-direct examination, Lieutenant Boné testified that the SOPs had to be distributed to approximately 300 custodial employees, and by July 2009 approximately 60 percent of employees had received the SOPs and signed the acknowledgment form, as this distribution process had been going on for months. Approximately six officers to whom the SOPs had been distributed had reported to him that they had copying issues. Lieutenant Boné testified that one other officer was written up for refusing to follow his directive when he told the officer to author an incident report if he were not accepting the SOPs.

Edwin Rodriguez

Officer Edwin Rodriguez testified on behalf of the appellant. Officer Rodriguez has been employed by the Mercer County Correction Center for the past twenty-four years in various areas of the facility, including Internal Affairs. He testified that in July 2009 SOPs were being handed out by Officer Price, who approached Rodriguez about signing for the documents. Because he was in the middle of his job duties he asked Officer Price to allow him to review the documents for a moment, and after doing so he found some discrepancies, and so advised Officer Price. Officer Price wanted him to sign for the SOPs, but he said he would not because of the discrepancies. He testified that he went to speak with Lieutenant Boné concerning the deficiencies with the documents. Lieutenant Boné instructed Officer Price to straighten the matter out, and

then give the documents back to Rodriguez so he could review them and sign for them. Officer Rodriguez then received the documents back from Price, but again there were discrepancies and problems, and he told Price to please bring the documents back to him when they were straightened out. In about a week the SOPs were brought back to him, at which time Rodriguez reviewed and signed for them. He said that he talked to the appellant and other officers to inform them that there were problems with the SOPs, and that they should be checking for these problems before signing the documents. Officer Rodriguez made a point of saying that he did not tell Officer Price or Lieutenant Boné that he was never going to sign for the documents, but only wanted to make sure that he had a chance to review them to ensure that they were accurate before he accepted them. He testified that he never told other officers to refuse to sign for the documents, as they had to make their own decisions; he was only explaining his experience with the SOPs in question.

On cross-examination, Officer Rodriguez confirmed that when there was a problem with the SOPs he told both Officer Price and Lieutenant Boné that there was a problem. Officer Price was very frustrated that he did not sign for the documents when first asked to do so, but Rodriguez explained to his superior officers that he was not saying that he would never sign for the SOPs. After the matter was straightened out, with the permission of the lieutenant, he signed for receipt of the SOPs.

Officer Coleman Williams

Officer Coleman Williams testified on behalf of the appellant. He said that he had been employed by the corrections center for the past twenty-three years. On the date in question had been working with Officer Davis when Officer Price approached them about signing for a packet of SOPs. Officer Davis and Officer Price had a discussion about signing for the SOPs. Officer Williams indicated that he looked over the SOPs and signed for them quickly, as Officer Davis was attending to an inmate as part of his shower duty. He said he heard Price say to Davis, "come on," or words to the effect of, "I need you to sign it now." He heard Davis say he was not going to do it

immediately, but would review the documents first. Officer Price said in reply, "forget it," and walked off, and that was the extent of the conversation.

On cross-examination, Williams said he did find some problems with the SOPs, but confirmed that after he signed for them, at a later time, the lieutenant in charge corrected the packet for him. He confirmed that the exchange between Davis and Price took place around 12:30 p.m., and Davis continued to perform his duties the rest of the afternoon. Williams said that he went home at 1:00 p.m., and does not know what happened after he left.

Officer Stephen Davis

Officer Stephen Davis testified that he has been an employee of Mercer County Corrections for approximately twenty-two years. On the day in question he was working shower duty, assisting inmates. He testified that when he was approached by Officer Price he knew that Price was trying to provide him with the SOPs that the facility had been disseminating for the past several months. Davis testified that he was already aware from talking to Officer Rodriguez that there could be some problems with the SOPs. Rodriguez told him that he had not signed for the SOPs until he was able to review the documents. When Davis saw Officer Price coming into the area in which he and Officer Williams were working, he knew that Price was there to have him sign for the SOPs. He said that Price first went to Officer Williams and they discussed the SOPs, and after a short time Williams signed for the documents. At first, when Price told him he had to sign for the SOPs, he indicated to Price that he should watch the inmate in the shower whom appellant had been attending so he could review the documents. Price told Davis that he was "not going to do [his] job." At that time he told Price that if he wanted him to go through the SOPs, he should remain there, indicating to Price that he knew which documents were wrong or had problems. He said that he wanted Price to review the SOPs with him like he did with Rodriguez and another officer, Joe Tucker, but Price stated that he could not leave the SOPs. Appellant testified that Price said he was refusing to sign, at which time appellant indicated to Price that he wasn't refusing. Price refused to leave the documents with him, and

basically just stormed off the floor. Price did not allow him to agree to a time and place where he could review the SOPs, such as at the training office. Appellant stated that he was concerned that Price did not afford him the same opportunity as he did certain other officers, who were allowed to review the SOPs before signing for them. Davis explained that he would have had more time to review the documents when he was working the midnight shift. He said that at some point later he received a telephone call from Lieutenant Boné, and he knew why Lieutenant Boné was calling him. He and the lieutenant had been missing each other by radio, and he ultimately received a call on his extension. He told the lieutenant that Price would not let him review the documents before signing for them, and Boné replied that Price told him that Davis was refusing to sign for the SOPs. Davis testified that he told the lieutenant that he was not refusing. Lieutenant Boné told him that if he had a problem with the SOPs and was not going to sign for them, he should submit a report to Lieutenant Boné. Davis said "okay," but also said that he was not refusing, and left it at that. He confirmed that Lieutenant Boné said that if he were not going to sign for the SOPs, his report should be submitted by 3 p.m. Davis asserted that in his mind he knew that he was eventually going to sign for the SOPs, although not necessarily by 3 p.m. that day, and therefore he believed that he did not need to submit a report explaining having declined to sign.

On cross-examination, Davis indicated that he did have time to go to Lieutenant Boné's office or to the training office, but in his mind he wasn't refusing to sign, so he never thought that there was going to be a problem. He said that he did not hear anything about this for some time thereafter. Appellant testified that there was another incident with Price in July concerning the same problem. He ultimately did sign for the SOPs in September 2009 after the charges were filed, and he had a union representative with him. He said that on the day of the incident, when he finished his shift at 3:15 p.m. his superiors were gone, and he does not remember for sure if he was at work the next day. He testified that he did go up to see Price about signing the SOPs, but that Lieutenant Boné was not in, and he did not want to contact Price without the lieutenant being there.

I asked Davis, who had sat next to his counsel during the testimony of Lieutenant Boné, why he did not challenge Boné on the fact that Boné's testimony and report did not include any reference to Davis explaining to him that he was not refusing to ever sign for the SOPs. Davis answered only that his recollection of the conversation was different than that of Boné, and that he was sure that he made it a point that he would eventually sign for the SOPs, even though he did not sign for them until September.

FACTUAL DISCUSSION

After reviewing all the documentation and hearing the testimony of the witnesses, I **FIND** the following as **FACTS**:

For some months prior to the date of the incident, Lieutenant Boné and his assistant, Officer Price, had been delivering packets of SOPs to the nearly 300 officers who work in the Mercer County Correction Center. It was common knowledge that these SOPs were being disseminated, and that a number of officers had noted and discussed problems with documents in the SOP packet. A majority of the correction officers signed for the SOPs. The officers had the right to bring problems with the packet to the attention of a union representative or a superior officer, who would review the problems with them. Any problems that were identified by correction officers were corrected to the satisfaction of the officers within a short time.

On July 16, 2009, Officer Price approached Officer Davis to give him the SOPs and have him sign for receipt. Officer Davis declined to sign for receipt at that time. Officer Price reported to Lieutenant Boné that Officer Davis was refusing to sign for the SOPs.¹ Lieutenant Boné then contacted Davis by telephone. Lieutenant Boné's version of his conversation with Officer Davis is accepted as fact, as his recollection of the conversation was not disputed by Davis at the hearing. Lieutenant Boné instructed Davis that if he were not going to sign for the SOPs, he should provide Boné with a report by the end of the day regarding his refusal to sign. Davis acknowledged the directive, and agreed that he would submit a report. Officer Davis took no action that

¹ Officer Price was not called as a witness by either party.

day, or the following day. He ultimately signed for the SOPs after the instant charges were filed.

All of the officers involved have well over twenty years of service as Mercer County correction officers. Captain Bearden testified credibly that the correction center is a paramilitary organization, and orders from a superior must be followed. If an order is confusing, the correction officer must first follow the order, then later grieve it or ask for relief. The order from Lieutenant Boné that Davis submit a report by 3 p.m. if he were not signing for the SOPs was clear and direct. Davis could not have misunderstood, and could not have believed that a report were not necessary if he intended to ultimately sign for the SOPs once his issues with the documents were resolved. Officer Williams and Officer Rodriguez also had problems with the documents, but Officer Williams signed for the SOPs and later approached a superior officer to discuss his issues with the documents, and Officer Rodriguez explained to Lieutenant Boné why he would not be signing immediately and later followed up with Officer Price. Davis took neither of these actions, and never submitted the required report to Boné.

CONCLUSIONS OF LAW

Appellant's rights and duties are governed by laws including the Civil Service Act and the regulations promulgated thereunder. A civil service employee who commits a wrongful act related to his employment may be subject to discipline, and that discipline, depending upon the incident complained of, may include suspension or removal. N.J.S.A. 11A:1-2, 11A:2-6, 11A:2-20; N.J.A.C. 4A:2-2.2.

The appointing authority shoulders the burden of establishing the truth of the allegations by a preponderance of the credible evidence. Atkinson v. Parsekian, 37 N.J. 143, 149 (1962). Evidence is said to preponderate "if it establishes the reasonable probability of the fact." Jaeger v. Elizabethtown Consol. Gas Co., 124 N.J.L. 420, 423 (Sup. Ct. 1940) (citation omitted). Stated differently, the evidence must "be such as to lead a reasonably cautious mind to the given conclusion." Bornstein v. Metro. Bottling

Co., 26 N.J. 263, 275 (1958); see also Loew v. Union Beach, 56 N.J. Super. 93, 104 (App. Div. 1959).

Here, appellant has been charged with violations of N.J.A.C. 4A:2-2.3(a)(6), conduct unbecoming a public employee; N.J.A.C. 4A:2-2.3(a)(2), insubordination; and N.J.A.C. 4A:2-2.3(a)(11), other sufficient cause, specifically, (a) violation of rule, regulation, policy, procedure, order or administrative decision under SOP 4: Employee Handbook, and (b) insubordination: intentional disobedience or refusal to accept reasonable order, assaulting or resisting authority, disrespect or use of insulting or abusive language to supervisor, step 2.

As to the charge of conduct unbecoming a public employee, the law is well established. "Conduct unbecoming a public employee" is an elastic phrase that encompasses conduct that adversely affects the morale or efficiency of a governmental unit or that has a tendency to destroy public respect in the delivery of governmental services. Karins v. City of Atl. City, 152 N.J. 532, 554 (1998); see also In re Emmons, 63 N.J. Super. 136, 140 (App. Div. 1960). It is sufficient that the complained-of conduct and its attending circumstances "be such as to offend publicly accepted standards of decency." Karins, supra, 152 N.J. at 555 (quoting In re Zeber, 156 A.2d 821, 825 (1959)). Such misconduct need not necessarily "be predicated upon the violation of any particular rule or regulation, but may be based merely upon the violation of the implicit standard of good behavior which devolves upon one who stands in the public eye as an upholder of that which is morally and legally correct." Hartmann v. Police Dep't of Ridgewood, 258 N.J. Super. 32, 40 (App. Div. 1992) (quoting Asbury Park v. Dep't of Civil Serv., 17 N.J. 419, 429 (1955)).

I **CONCLUDE** that appellant's conduct does constitute conduct unbecoming a public employee. Appellant has been employed by the appointing authority for more than twenty years. After he decided not to immediately accept and sign for the SOPs when they were presented to him by Officer Price, because he identified problems with the packet, he received a call from his lieutenant, who ordered that he submit, by 3 p.m., a report documenting his refusal to sign for the SOPs. He knew that Officer

Rodriguez had similarly found problems in the SOPs and had taken the matter to the lieutenant, with a successful result. Davis could have done the same thing. He declined to accept and sign for documents that hundreds of his fellow officers had already accepted without prejudice to them, and he purposely did not follow a direct order to submit a report regarding his refusal to sign by the deadline given by his lieutenant, even after acknowledging the directive and stating that he would comply with it. In a paramilitary organization, where it is essential for officers and for the public that orders be followed, this is conduct that could adversely affect the morale or efficiency of the governmental unit or destroy public respect in the delivery of governmental services.

The charges of insubordination and other sufficient cause may be considered together. Black's Law Dictionary 802 (7th Ed. 1999) defines insubordination as a "willful disregard of an employer's instructions" or an "act of disobedience to proper authority." Webster's II New College Dictionary (1995) defines insubordination as "not submissive to authority: disobedient." Such dictionary definitions have been utilized by courts to define the term where it is not specifically defined in contract or regulation.

"Insubordination" is not defined in the agreement. Consequently, assuming for purposes of argument that its presence is implicit, we are obliged to accept its ordinary definition since it is not a technical term or word of art and there are no circumstances indicating that a different meaning was intended.

[Ricci v. Corporate Express of the East, Inc., 344 N.J. Super. 39, 45 (App. Div. 2001) (citation omitted).]

Importantly, this definition incorporates acts of non-compliance and non-cooperation, as well as affirmative acts of disobedience. Thus, insubordination can occur even where no specific order or direction has been given to the allegedly insubordinate person. Insubordination is always a serious matter, especially in a paramilitary context. "Refusal to obey orders and disrespect cannot be tolerated. Such conduct adversely affects the morale and efficiency of the department." Rivell v. Civil Serv. Comm'n, 115 N.J. Super. 64, 72 (App. Div.), certif. denied, 59 N.J. 269 (1971).

“Other sufficient cause” in this case is based on (a) violation of rule, regulation, policy, procedure, order or administrative decision under SOP 004: Employee Handbook, and (b) insubordination: intentional disobedience or refusal to accept reasonable order, assaulting or resisting authority, disrespect or use of insulting or abusive language to supervisor, step 2. Sections 1.02.2 and 1.02.3 of SOP 004, as quoted above, require that officers/correctional employees are responsible for compliance with lawful orders and other directives, and that an officer/correctional employee must follow a specific procedure if the officer feels that an order from a superior officer is unlawful.

Officer Davis acquiesced to Lieutenant Boné that he knew what was expected of him by the end of the work day, but did not comply with the directive. He intentionally disobeyed a reasonable directive to explain in writing his decision not to sign for the SOP packet that day. I find it unbelievable that an officer working in a paramilitary organization for more than twenty years would not understand the necessity of following orders and corrections center procedures. As such, I **CONCLUDE** that appellant’s conduct constitutes insubordination and other sufficient cause as specified by the appointing authority in the notices of disciplinary action.

PENALTY

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. George v. N. Princeton Developmental Ctr., 96 N.J.A.R.2d (CSV) 463. Pursuant to West New York v. Bock, 38 N.J. 500, 523–24 (1962), concepts of progressive discipline involving penalties of increasing severity are used where appropriate. See also In re Parlo, 192 N.J. Super. 247 (App. Div. 1983). However, where the charged dereliction is an act which, in view of the duties and obligations of the position, substantially disadvantages the public, good cause exists for removal. See Golaine v. Cardinale, 142 N.J. Super. 385 (Law Div. 1976), aff’d, 163 N.J. Super. 453 (App. Div. 1978); In re Herrmann, 192 N.J. 19 (2007).

The discipline imposed by the appointing authority in this matter is a fine equivalent to a suspension of fifteen working days, or \$4,566.90. Appellant's disciplinary history consists of a three-day suspension in October 2004 for insubordination.

The Mercer County Table of Offenses and Penalties provides for a penalty of fifteen days' suspension for a second insubordination infraction (C-9), and for a penalty of official written reprimand to removal for a first infraction of violation of rule, regulation, policy, procedure, order or administrative decision (D-15). (R-1.)

I **CONCLUDE** that the discipline imposed by the appointing authority is appropriate.

ORDER

Based on the above findings and conclusions, I hereby **ORDER** that the action of the appointing authority imposing on appellant a fine equivalent to a suspension of fifteen working days, or \$4,566.90, is **AFFIRMED**.

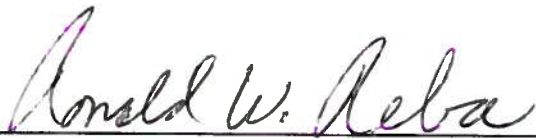
I hereby **FILE** my initial decision with the **CIVIL SERVICE COMMISSION** for consideration.

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, PO 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.

May 28, 2014

DATE



RONALD W. REBA, ALJ

Date Received at Agency:

5/28/14

Date Mailed to Parties:

5/28/14

cad/cb

WITNESSES

For Appellant:

Edwin R. Rodriguez
Coleman Williams
Stephen Davis

For Respondent:

Richard Bearden
Eric L. Boné

EXHIBITS

Joint:

J-1 Preliminary Notice of Disciplinary Action, dated July 28, 2009
J-2 Final Notice of Disciplinary Action, dated September 9, 2010

For Appellant:

P-1 Report of Lieutenant Boné
P-2 SOP packet

For Respondent:

R-1 Mercer County Table of Offenses and Penalties
R-2 SOP 004: Employee Handbook
R-3 SOP acknowledgement form