


# Daytona Beach Police Department

MICHAEL J. CHITWOOD, CHIEF OF POLICE

## MEMORANDUM

TO: Officer Sarah Martin  
FROM: Michael J. Chitwood, Chief of Police   
SUBJECT: Notice of Discipline: Termination  
DATE: June 28, 2010

### Disciplinary History

No disciplinary history per union contract.

### Current Incident

On June 10, 2010 you signed for and received a Notice of Proposed Discipline: Termination; relative to the findings in Internal Investigation 10-01. I met with you regarding this incident; however, my decision proposed is final.

### Rules Violated

**Department Directive 5.1.42**, which states: *Employees shall answer all questions truthfully. This requirement extends to all official investigations and inquiries, criminal and administrative, conducted by the department or by any other agency. Nothing in the section shall be construed to require an employee to waive any statutory or constitutional rights.*

**Department Directive 83.1.5**, which states: *The use of computers/mobile computers must be in support of law enforcement and associated information exchange in the form of dispatch, incident report completion, official e-mail, NCIC/FCIC, NLETS, and DHSMV data. Computers/mobile Computers shall be used exclusively for official Department business.*

**Department Directive 83.1.6**, which states: *Unauthorized use of a computer/mobile computer shall be grounds for discipline and/or revocation of privileges to use a computer, and may be grounds for discipline up to and including termination.*

**Department Directive 83.1.14**, which states in part: *Due to the sensitive nature of the data available on the mobile computers and the corresponding links with other systems, the following guidelines must be established:*

- *NCIC/FCIC information may not be accessed unless in accordance with current rules and regulations established by FDLE.*

### **Appeal Procedures**

Should you decide to appeal this decision you will be guided by the Grievance and Arbitration Procedures outlined in Article XII of the Teamsters Union Collective Bargaining Agreement with the City of Daytona Beach.

MJC/jsh

100.2010.0428



DAYTONA BEACH POLICE DEPARTMENT  
EMPLOYEE INCIDENT FORM

Date: 05/31/10

Name of Employee(s): Officer Sarah Martin

Supervisor: Lieutenant James Newcomb

Reason(s) (Be Specific): Directive(s) Code of Conduct 5.1.42, 5.1.141, Computer Use 83.1.5, 83.1.6, 83.1.14

Narrative:

On 12-28-09 you were involved in an altercation at your primary residence that led to the involvement of the Ormond Beach Police Department. Subsequent to that incident an internal investigation was initiated. During this internal investigation it was discovered that you provided false and untruthful testimony in violation of the following Directives: Code of Conduct 5.1.42 which states Employees shall answer all questions truthfully, 5.1.141 which states Employees shall not knowingly make any false statements, 83.1.5, which states, use of computers must be in support of law enforcement, 83.1.6, which states, Unauthorized use of computers is grounds for termination, 83.1.14 which states, No information shall be obtained for personal gain.

Employee Response: \_\_\_\_\_

*NA*

*I have read the foregoing and have been counseled in regard to this matter. I understand that my signature does not signify my agreement or disagreement with the information specified herein.*

*x 6-9-10*  
Date

*x [Signature]*  
Employee Signature