



#### STATE OF NEW JERSEY

In the Matter of Jessica Garcia Union City, Department of Public Safety

CSC DKT. NO. 2015-401 OAL DKT. NO. CSR 10485-14 FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

**ISSUED:** 

FEB 27 2017

 $\mathbf{BW}$ 

The appeal of Jessica Garcia, Police Officer, Union City, Department of Public Safety, removal effective July 1, 2014, on charges, was heard by Administrative Law Judge Caridad F. Rigo, who rendered her initial decision on January 19, 2017. Exceptions were filed on behalf of the 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 February 22, 2017, accepted and adopted the Findings of Fact and Conclusion as contained in the attached Administrative Law Judge's initial decision.

#### ORDER

The Civil Service Commission finds that the action of the appointing authority in removing the appellant was justified. The Commission therefore affirms that action and dismisses the appeal of Jessica Garcia.

Re: Jessica Garcia

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 FEBRUARY 22, 2017

Robert M. Czech Chairperson

Civil Service Commission

Inquiries and Correspondence Nicholas F. Angiulo Assistant 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. CSR 10485-14

IN THE MATTER OF JESSICA GARCIA, UNION CITY POLICE DEPARTMENT.

Wolodmryr Tyshchenko, Esq., for Appellant Jessica Garcia (Caruso, Smith, Edell, Picini, attorneys)

Kenneth B. Goodman, Esq., for Respondent Union City Police Department (O'Toole, Fernandez, Weiner, Van Lieu, attorneys)

Record closed: June 20, 2016

Decided: January 19, 2017

BEFORE CARIDAD F. RIGO, ALJ:

# STATEMENT OF THE CASE AND PROCEDURAL HISTORY

The petitioner, Jessica Garcia (Garcia) appeals from a Final Notice of Disciplinary Action issued by the respondent, Union City Police Department (City), providing for appellant's removal from her position as a police officer. The charges against appellant arise out of events occurring on or about June 11, 2014. They are:

#### Administrative:

- 1. Failure to perform duties
- 2. Insubordination
- Conduct unbecoming a public employee

- 4. Neglect of duty
- 5. Other Sufficient Cause

### Departmental:

- General responsibilities
- 2. Neglect of duty
- 3. Performance of duty
- 4. Insubordination
- 5. Care of firearm offduty, outside home
- 6. Repeated violations of department rules and regulations
- 7. Refusal to obey proper orders from a superior
- 8. Consequences to refusal to submit to drug test

### PROCEDURAL HISTORY

Petitioner is charged with failure to perform duty, insubordination, care of firearms off duty outside home, refusal to obey proper orders from a superior.

Garcia was removed from her position effective July 1, 2014, via a Final Notice of Disciplinary Action (FNDA) dated August 4, 2014. The primary basis for her removal was her failure to report for an ordered drug test and violation of the Attorney General's Law Enforcement Drug Testing Policy, as well as leaving a loaded weapon unsecured in a public location and failure to report unlawful activity by a fellow Union City police officer in violation of the Union City Police Department and Civil Service rules and regulations.

This matter was transferred as a contested case to the Office of Administrative Law (OAL). N.J.S.A. 52:14B-1 to -15; N.J.S.A. 52:14F-1 to 13.

I heard this matter on May 13, 2016, and May 20, 2016. The record was kept open pending submissions of post-hearing transcripts and closing arguments. Closing arguments were received on June 20, 2016.

An extension was requested and received for the issuing of an Initial Decision because of a voluminous caseload of the undersigned.

### <u>Issue</u>

Whether respondent has met its burden of proof by proving the charges against petitioner by a preponderance of the credible evidence?

# Summary of Testimony for respondent

## **Jamey DiGrazio**

Jamey DiGrazio (DiGrazio) is a police officer in Monroe Township. On the evening of June 11, 2014, he was dispatched to a home within the boundaries of the township to responded to a first aid call of an unconscious, unresponsive male with CPR in progress. Upon his arrival, first aid responders were already administering assistance to the male, Corey Corbo (Corbo), in the bedroom. At some point, he located Garcia in the household. During a conversation in which DiGrazio was attempting to ascertain relevant information, Garcia stated that Corbo had "done a bump of cocaine about five days ago." Garcia also informed DiGrazio that both she and Corbo were police officers. Garcia also stated "[d]on't tell anyone." DeGrazio informed the paramedics of Corbo's alleged ingestion of cocaine, and noted it in his incident report.

Under cross-examination, DeGrazio admitted that he did not inquire about how Garcia gained the information regarding Corbo's alleged drug use, nor did he find any illegal drugs or drug paraphernalia in the residence.

## **Keith Saloom**

Detective Sergeant Keith Saloom (Saloom) is employed by the Monroe Township Police Department. He requested that "complete reports" of the incident that were

completed by DeGrazio be forwarded to the Internal Affairs Bureau of the Union City Police Department in response to requests from officers investigating the incident.

### **Richard Molinari**

Richard Molinari (Molinari) is Union City's Chief of Police. Molinari testified that in June 2014, he was informed that Corbo had been involved in an emergency call at his residence, and Garcia was the reporting party; he further testified that Garcia made a statement to the Township Police during their investigation of the first aid call that Corbo had done a "bump" of cocaine. He also was presented with a copy of the police report on or around June 13. Molinari further testified that he was informed on or around June 12<sup>th</sup> that Corbo had been hospitalized in a seriously ill condition.

After reviewing the report, Molinari stated that he felt "as though [he] had a situation where [he] needed to determine or not whether Garcia was using illicit drugs," and contacted an Assistant Prosecutor (AP) in the Hudson County Prosecutor's Office in order to determine whether reasonable suspicion existed to order a drug test. He provided the AP with the report, and told him that he believed that reasonable suspicion existed, a determination with which the AP concurred. Molinari ordered Lieutenant Ramon Vazquez to contact Garcia and order her to report to the Union City Police Department. The Chief testified he ordered Vasquez to give Garcia the order at approximately 3 p.m. The order was given, but Garcia never responded. "She was ordered to come into the police department. It's a lawful order. I gave it. The lieutenant issued it. She understood. She stated she understood." Despite assurances that she was on her way in, she never did; therefore, the department undertook actions to locate her.

Molinari further testified that Captain Nichelle Luster "reached out to Garcia, and it was conveyed . . . that she ordered Garcia to report for a drug test." Later, Luster informed Molinari that Garcia had voluntarily entered a substance abuse rehabilitation center.

Under the Attorney General's testing guidelines, an officer who is ordered to report in for a drug test is required to appear for the drug test or face termination, and the City Police Department has promulgated rules and regulations that "completely mirror" the Attorney General's guidelines. Notably, under the Guidelines, "there is no other recourse . . . other than removal" of an officer who refuses to respond to a reasonable suspicion drug test. Also, a police officer has an ongoing obligation to report a criminal offense, if such officer has first-hand knowledge.

Molinari further testified that Captain Luster informed him that Corbo's ex-wife reported to her that she found an unsecured firearm in a bag in Corbo's hospital room that she believed belonged to Garcia. Molinari ordered Luster to investigate, and if a firearm were located, that she take possession of it. Captain Luster later reported that she found the weapon. The weapon was made safe and secure. The weapon was later determined to belong to Garcia. Police department policy generally imposes a responsibility upon its officers to always keep their weapons secure.

Under cross-examination, Molinari testified that he never examined the firearm, but Captain Luster reported that she had determined that it was Garcia's by completing a check of the serial number. He further testified that his decision to call Garcia in for a drug test was based on DiGrazio's report. However, Molinari admitted that he did not know whether Garcia had first-hand knowledge of Corbo's alleged drug use. Molinari also testified that Lieutenant Vasquez did not tell her when he called that she was to report in for a drug test, but she was later informed by Captain Luster. However, under examination by the Court, Molinari stated that under normal circumstances, there would be a verbal communication via phone call to report to the station, and then once the officer reported, there would be a second communication to undergo a drug test. Also, it is undisputed that an officer "must know that they are being ordered for a drug test and refuse in order to be guilty of refusing to submit to a drug test.

## Nichelle Luster

Nichelle Luster (Luster) is a Captain in the Union City Police Department. Luster testified that Garcia informed her on June 12 that Corbo had a medical emergency and

was being treated at Raritan Bay Medical Center, in serious condition. She texted Molinari the information and proceeded to the hospital. At the hospital, Garcia informed her that at around 6 p.m. on June 11<sup>th</sup>, Corbo appeared to be in breathing distress, so Garcia started to perform CPR.

Subsequently, on June 13<sup>th</sup>, Luster reported to Molinari's office. She testified that she was informed about the Monroe Township police report, and she learned that Molinari, after discussions with the Assistant Prosecutor, ordered Lieutenant Vasquez to order Garcia in to the department. When Garcia arrived at the police station at that time, she would be ordered to undergo a drug test.

After waiting until 7 p.m., Luster left the Chief's office and ran into another officer who informed her that Garcia had checked into rehab. She instructed the officer to contact Garcia to inform her to contact the department. Subsequently, Luster received a phone call from Garcia; Garcia was crying. Luster testified that she informed Garcia "three different ways three different times" to report in for a drug test; this was done "with the chief's approval to specifically direct her and order her in for a drug test." Luster testified that the crying intensified, and Garcia hung up. The department undertook steps to locate Garcia to no avail.

Subsequently, on June 14th, Luster received a call from Corbo's ex-wife, stating that while she was searching for Corbo's wallet or paperwork in a duffel bag, she found a loaded gun. Luster informed Molinari, who ordered her to retrieve the weapon. Luster found the handgun in a duffel bag on the floor in Carbo's hospital room, she secured the gun. The serial number on the weapon was registered to Garcia.

Under cross-examination, Luster stated that Garcia did not acknowledge what she was saying "other than the intensifying of crying," which may have been because of other factors. Luster also testified that she did not know whether Garcia brought the duffel bag to the hospital or whether Garcia put the contents in the bag. However, she testified that Officer Porres stated during an interview by Internal Affairs that he had a conversation with Garcia about "checking in the bag for something or securing the bag or something." Under examination by the Court, Luster stated that Corbo's ex-wife

informed her that she saw Garcia and Officer Porres texting on June 13, and she saw Porres remove an item from Garcia's purse, which was in the duffel bag. Luster further testified that Porres informed Internal Affairs that he never removed an item from the duffel bag.

### Francesco DePinto, Jr.

Francesco DePinto, Jr. (DePinto) is a police officer with the City. DePinto testified that he visited Corbo in the hospital, and later that day he received a phone call from a "crying" Garcia. They exchanged phone calls after that. Notably, during one of the phone calls, Garcia asked DePinto "do you know how long cocaine stay[s] in the system?" He forwarded her information via text.

Subsequently, on Friday evening, Garcia telephoned him and asked that he retrieve certain items for her since she checked herself into rehab. After that, he informed Captain Luster. The following morning, he retrieved the items and asked Officer Porres to transport the bag to the facility.

Under cross-examination, he stated that he knew Corbo to be a "very sarcastic individual." He also stated that he knew that Garcia had been in a very serious accident in June 2014 that required her to take prescription medication and undergo therapy.

## Ramon Vasquez

Lieutenant Ramon Vasquez (Vasquez) is a member of the City's Police Department in its Internal Affairs Bureau. Vasquez testified that on June 13, Internal Affairs received a call from Saloom regarding an emergency call involving Corbo and Garcia. After that, Saloom faxed a copy of DiGrazio's police report. Vasquez immediately notified Molinari, who convened a conference call with the Assistant Prosecutor's office. Thereafter, Vasquez contacted Garcia and ordered her to report to Molinari's office by 5 p.m., an order which Garcia acknowledged. Garcia never reported, and at approximately 6:45 p.m., Vasquez and Detective Maitlin began searching for her, with no results.

Under cross-examination, Vasquez stated that he had no direct knowledge of the events of June 11 and that he did not speak to DiGrazio. Vasquez further testified that the phone call placed to Garcia was recorded via a handheld recorder operated by Detective Maitlin.

### **Anthony Facchini**

Lieutenant Anthony Facchini (Facchini) is a member of the City's Police Department. On June 16, Facchini was briefed on the matter and became involved in the investigation. Facchini stated that there was no report that Garcia's weapon found in the duffel bag was lost or stolen. The investigation included an interview of Officer Porres, under grant of immunity, to determine whether he had removed anything from the duffel bag, as reported by Corbo's ex-wife. Facchini stated that Porres provided no useful information. Facchini interviewed DiGrazio, whose information was consistent with that contained in his report. He also interviewed DePinto, who informed him about Garcia's question about the time cocaine stays in the system. Facchini testified that he was able to contact Garcia at the rehabilitation facility, where he served her papers related to the charges against her.

Under cross-examination, Facchini testified that he interviewed several other officers who stated that they had no reason to believe that Garcia used illicit substances. Facchini also testified that it was his understanding that based on Vasquez's phone call and prior to contact with Luster, Garcia had no reason to believe she was being ordered to report for a drug test. Facchini further testified that no other officers were granted immunity except Porres because there was an allegation that he tampered with evidence.

### Jessica Garcia

Garcia was a patrol officer in the City for approximately four years until her termination. She was in a relationship with Corbo at the time of the incident. She

testified that when she awakened on June 11<sup>th</sup>, she noticed that Corbo was blue in the face and was not breathing, so she began performing CPR and called 911.

She stated that she told DiGrazio that Corbo "may have" done a "bump" of cocaine five days before. According to Garcia, Corbo was in the habit of making "distasteful jokes" and stating that he may have to use cocaine to ease the pain associated with a recent motorcycle accident. She stated that she did not know if Corbo actually ingested cocaine, nor was she aware that a toxicology test performed at the hospital was positive for cocaine.

Garcia testified that DiGrazio's testimony was not completely accurate because her statement to "not tell anyone" was based on her lack of knowledge, not an attempt to hide illicit activity, and that the information should be relayed to the EMS personnel only. She further testified that when she went to the hospital with the duffel bag, she did not place the handgun into the duffel bag, nor did she have a weapon on her person. The weapon was stored in a nightstand at Corbo's residence.

Garcia further testified that she spoke with Luster on June 12<sup>th</sup> regarding Corbo's condition. Garcia further testified that she did not recall any calls from Luster on June 13, but she did recall speaking to another officer to state that she was checking herself into rehab. Garcia received a call from Vasquez on June 13<sup>th</sup>, ordering her to report in, on the direct order of the Chief of Police, at a certain time. After receiving the order, Garcia left the hospital and drove "in a state of panic and anguish." Garcia stated that she did not expect to be subjected to a drug test, but she admitted that she did not intend to report to Union City. She further admitted that she called DePinto to ask how long cocaine would stay in a person's system. Subsequently, she told DePinto not to call her anymore because she did not wish to speak to anyone. However, she contacted him to ask that he bring her certain items at the rehabilitation facility.

At the time, Garcia believed she was abusing prescription medications, though she stated that she did not take any of the medications while on duty.

Under examination by the Court, Garcia stated that she placed the duffel bag on the floor of Corbo's room on or around June 12 but did not come into contact with it after that. Under direct examination, she stated that she had no knowledge of how her handgun came to be found in the hospital room, and she believed that her weapon was in the nightstand in Corbo's residence. She stated that she has no knowledge as to how her weapon came to be in the duffel bag, and she did not place it in the duffel bag.

Garcia admitted that she disobeyed Vasquez's direct order.

Under cross-examination, she stated that Corbo joked around a lot, and "it's not always in good taste." Therefore, when Corbo spoke about ingesting cocaine, she assumed it was a joke, and she stated that she never witnessed him ingest cocaine. She informed DiGrazio about the possible cocaine use "out of an abundance of caution." She described her state of mind throughout this period as "hysterical [and] panicked." Thus, when Vasquez gave her the order to report, "[she] was really worried about [Corbo] and . . . didn't want to leave." Further, at this point, she "wasn't thinking clearly" that she had disobeyed a direct order.

Under re-direct, Garcia again admitted that she told DiGrazio that Corbo may have ingested a "bump" of cocaine. She stated that she had no reason to believe that she was the target of an investigation and acknowledged that, regardless, she violated a direct order from the Chief via Vasquez.

## FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Civil Service Act and its associated regulations govern the rights and duties of a civil service employee. N.J.S.A. 11A:1-1 to 11A:12-6; N.J.A.C. 4A:1-1.1, et seq. 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:2-20; N.J.A.C. 4A:2-2.2; N.J.A.C. 4A:2-2.3. Among the causes for major discipline is conduct unbecoming a public employee. N.J.A.C. 4A:2-2.3(a)(3).

Factors determining the degree of discipline include the employee's prior disciplinary record and the gravity of the instant misconduct. W. New York v. Bock, 38 N.J. 500, 522-24 (1962). Conduct unbecoming a public employee is any conduct which adversely affects the morale or efficiency of the governmental unit or which has a tendency to destroy public respect and confidences in the delivery of governmental services. The conduct need not 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. In re Emmons, 63 N.J. Super. 136, 140 (App. Div. 1960).

The issues to be determined at the <u>de novo</u> hearing are whether the appellant is guilty of the charges brought against him/her and, if so, the appropriate penalty, if any, that should be imposed. <u>Henry v. Rahway State Prison</u>, 81 <u>N.J.</u> 571 (1980); <u>Bock, supra,</u> 38 <u>N.J.</u> 500.

This case is particularly sensitive because it involves law enforcement officials.

[A] police officer is a special kind of public employee. His primary duty is to enforce and uphold the law. He carries a service revolver on his person and is constantly called upon to exercise tact, restraint and good judgment in his relationship with the public. He represents law and order to the citizenry and must present an image of personal integrity and dependability in order to have the respect of the public.

[Moorestown v. Armstrong, 89 N.J. Super. 560, 566 (App. Div. 1965), certif. denied, 47 N.J. 80 (1966).]

Even more troubling is the fact that illicit drugs may be involved. "Every police officer understands that an officer who uses or sells drugs is a threat to the public." Rawlings v. Police Dep't of Jersey City, 133 N.J. 182, 189 (1993).

In this matter, the City bears the burden of proving the charges against appellant by a preponderance of the credible evidence. N.J.S.A. 11A:2-21; N.J.A.C. 4A:2-1.4(a). Thus, I must engage in a fact-specific analysis to determine which party on whose side the weight of the evidence preponderates, and according to a reasonable probability of

truth. <u>Jackson v. Delaware, Lackawanna and W. R.R.</u>, 111 <u>N.J.L.</u> 487, 490 (E. & A. 1933). Evidence is said to preponderate "if it establishes 'the reasonable probability of the fact." <u>Jaeger v. Elizabethtown Consolidated Gas Co.</u>, 124 <u>N.J.L.</u> 420, 423 (Sup. Ct. 1940) (citation omitted). The evidence must "be such as to lead a reasonably cautious mind to a given conclusion." <u>Bornstein v. Metro. Bottling Co.</u>, 26 <u>N.J.</u> 263, 275 (1958).

Petitioner challenges whether the City has reasonable suspicion to order her to undergo a drug test.

Reasonable suspicion is considerably less than proof of wrongdoing by a preponderance of the evidence. In fact, reasonable suspicion is a less demanding standard than probable cause not only in the sense that reasonable suspicion can be established with information that is different in quantity or content than that required to establish probable cause, but also in the sense that reasonable suspicion can arise from information that is less reliable than that required to show probable cause. Moreover, the concept of reasonable suspicion, like probable cause, is not readily, or even usefully, reduced to a neat set of legal rules. Rather, it requires an evaluation of the totality of the circumstances—the whole picture.

[Tamburelli v. Hudson County Police Department, 326 N.J. Super. 551, 555-56 (App. Div. 1999) (internal citations and punctuation omitted).]

First, I note that contrary to petitioner's assertion in summation, reasonable suspicion does not require testimony that "she was acting strangely, or not performing her job properly, or that she had exhibited any signs of using drugs." Further, though it is obvious that I owe no deference to the determination of an Assistant Prosecutor regarding reasonable suspicion, I would be remiss not to afford his determination some weight, given that under the Attorney General's guidelines, a county prosecutor could in certain circumstances order a law enforcement officer to undergo a drug test based on reasonable suspicion. See Passaic County PBA Local 187 v. Office of the Passaic County Prosecutor, 385 N.J. Super. 11 (App. Div. 2006). I disagree with petitioner's characterization that the drug test was ordered based on "guilt by association"; Molinari testified that he ordered the drug test based on several factors, including the police report, thus based upon an evaluation of the totality of the circumstances. I

**CONCLUDE** that respondent had a sufficient basis to order petitioner to submit to the drug screening.

The next question is whether Garcia refused to submit to a drug test. Contrary to petitioner's assertion, I FIND Luster's testimony credible. Though there may be inconsistencies in her testimony, there is nothing to lead me to conclude that she should be disbelieved. Further, I FIND Garcia's testimony that she was in an emotional state throughout this ordeal credible. However, petitioner has not presented any evidence to support her contention that she did not hear Luster's order. Even if assuming, arguendo, that she did not hear Luster's order, it does not excuse her insubordination in failing to respond to Vasquez's lawful order, which she readily admits she heard. Therefore, I CONCLUDE that respondent has shown by a preponderance of the evidence that petitioner refused to submit to a drug screening. I further CONCLUDE that respondent has shown by a preponderance of the evidence that petitioner was insubordinate by failing to follow a lawful order of a superior officer. I further note that petitioner admitted that she disobeyed Vasquez's order.

Therefore the charges of insubordination, neglect of duty, conduct unbecoming a public employee and refusal to obey a proper order from a superior are sustained.

As for the handgun, it is unclear how it ended up in the duffel bag in Corbo's hospital room. I FIND Garcia's testimony that she did not place it in the duffel bag and that she had no knowledge of how it ended up in the duffel bag credible. However, this does not sufficiently answer the question of how it ended up in the hospital room. In this case, the facts show that Garcia's off-duty weapon was found unsecured and loaded in Corbo's hospital room. Garcia had an obligation to keep the weapon secured, and if it were lost or stolen, to report it. It would require a "leap of faith," bordering on implausibility to imply that the handgun was placed in the duffel bag by a person or persons unknown with malicious intent. Therefore, I CONCLUDE that respondent has shown by a preponderance of the evidence that petitioner failed to properly secure her weapon. The charges of failure to perform duties, neglect of duty and failure to care of firearm off duty outside the home are sustained.

Ir

### **ORDER**

The Union City Police Department's termination of Garcia 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. 40A:14-204.

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.

January 19, 2017	(Bulada)
DATE	CARIDAD F. RIGO ALJ
Date Received at Agency:	January 19, 2017
Date Mailed to Parties:	JAN 20 2017  DIRECTOR AND  CHIEF ADMINISTRATIVE LAW JUDGE

### **APPENDIX**

### **List of Witnesses**

#### For Petitioner:

None

### For Respondent:

Jamey DiGrazio

Keith Saloom

Richard Molinari

Nichelle Denise Luster

Francesco DePinto, Jr.

Ramon Vasquez

Anthony Facchini

Jessica Garcia

## List of Exhibits in Evidence

#### For Petitioner:

- P-1 Transcript of Call: Vasquez/Garcia
- P-2 Diagram drawing of Police Desk
- P-3 Transcript of Interview of Officer Caridad Diaz

#### For Respondent:

- R-1 Jamey DiGrazio Incident Report
- R-2 Attorney General's Law Enforcement Drug Testing Policy
- R-3 <u>Union City Police Department Manual</u>, Chapter 10
- R-4 Union City Police Department Manual, Chapter 3
- R-5 <u>Union City Police Department Manual</u>, Chapter 3
- R-6 Report of Captain Nichelle Luster
- R-7 Report of Lieutenant Ramon Vasquez, dated June 13, 2014
- R-8 Report of Lieutenant Anthony Facchini, dated August 28, 2014