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STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

In the Matter of Doris Gonzalez  
(Consolidated)

CSC Docket Nos. 2015-2633; 2016-770; 2016-1924 and 2016-1925  
OAL Docket Nos. CSV 4313-15 and 20508-15

ISSUED: JUL 28 2017

The appeals of Doris Gonzalez, Police Officer, City of Newark, Police Department, of her six-working day, 15 working day, 30 working day, and 45 working day suspensions, on charges, were heard by Administrative Law Judge Mumtaz Bari-Brown (ALJ), who rendered her consolidated initial decision on June 26, 2017. No exceptions were filed by the parties.

Having considered the record and the ALJ's initial decision, and having made an independent evaluation of the record, the Civil Service Commission (Commission), at its meeting on July 26, 2017, accepted and adopted the Findings of Fact as detailed in the initial decision. However, while the Commission adopted the ALJ's recommendation to uphold the six and 15 working day suspensions and reverse the 30 working day suspension, it did not adopt the ALJ's recommendation to modify the 45 working day suspension to a 15 working day suspension. Rather, the Commission modified the 45 working day suspension to a 30 working day suspension.

DISCUSSION

Regarding the 45 working day suspension, the ALJ found that the appellant was guilty of the underlying charges relating to her misconduct, namely insubordination, neglect of duty, failure to be punctual and unprofessional use of language. Regarding the penalty, the ALJ stated that "given the obvious animosity between Department employees" and in order to equate this infraction "to the overall intertwined circumstance" between this infraction and two previous

infractions, that a 15 working day suspension was the appropriate penalty. The Commission does not agree.

In determining the proper penalty, the Commission's review is *de novo*. In addition to its consideration of the seriousness of the underlying incident in determining the proper penalty, the Commission also utilizes, when appropriate, the concept of progressive discipline. *West New York v. Bock*, 38 N.J. 500 (1962). In assessing the penalty in relationship to the employee's conduct, it is important to emphasize that the nature of the offense must be balanced against mitigating circumstances, including any prior disciplinary history. However, it is well established that where the underlying conduct is of an egregious nature, the imposition of a penalty up to and including removal is appropriate, regardless of an individual's disciplinary history. *See Henry v. Rahway State Prison*, 81 N.J. 571 (1980). It is settled that the theory of progressive discipline is not a "fixed and immutable rule to be followed without question." Rather, it is recognized that some disciplinary infractions are so serious that removal is appropriate notwithstanding a largely unblemished prior record. *See Carter v. Bordentown*, 191 N.J. 474 (2007).

In the instant matter, the Commission finds that the appellant's actions during the incident underlying the 45 working day suspension were wholly inappropriate. Regardless of the apparent "animosity" that existed, the appellant's conduct and defiance towards a superior officer was inexcusable and worthy of a significant sanction. In this regard, the appellant works in a paramilitary setting where the chain of command must be maintained and respected. Further, in light of the fact that the six and 15 working day suspensions were sustained, the Commission finds that the appropriate penalty is a 30 working day suspension.

### ORDER

The Commission finds that the appointing authority's imposition of six and 15 working day suspensions was appropriate and upholds those actions. Additionally, the Commission finds that the charges underlying the 30 working day suspension were not sustained and that suspension was properly reversed. Finally, the Commission finds that the 45 working day suspension should be modified to a 30 working day suspension.

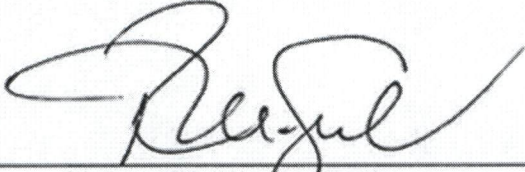
The appellant is entitled to a total of 45 working days of back pay, benefits, and seniority pursuant to *N.J.A.C. 4A:2-2.10*. The amount of back pay awarded is to be reduced and mitigated as provided for in *N.J.A.C. 4A:2-2.10*. Proof of income earned shall be submitted by or on behalf of the appellant 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*. In this regard *N.J.A.C. 4A:2-2.12(a)* provides that the award of counsel fees is appropriate only where an employee has prevailed on all or substantially all of the primary issues in

an appeal of a major disciplinary action. In this matter, charges were sustained and major discipline was imposed. Thus, counsel fees must be denied.

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  
THE 26<sup>th</sup> DAY OF JULY 2017



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Robert M. Czedz, Chairperson  
Civil Service Commission

Inquiries  
and  
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Attachment



**State of New Jersey**  
OFFICE OF ADMINISTRATIVE LAW

**INITIAL DECISION**  
**(CONSOLIDATED)**

**IN THE MATTER OF DORIS GONZALEZ,  
CITY OF NEWARK POLICE DEPARTMENT.**

OAL DKT. NO. CSV 04313-15  
AGENCY REF. NO. 2015-2633

and

**IN THE MATTER OF DORIS GONZALEZ,  
CITY OF NEWARK POLICE DEPARTMENT.**

OAL DKT. NO. CSV 20508-15  
AGENCY REF. NOS. 2016-770,  
2016-1924, & 2016-1925

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**Frank P. Arleo**, Esq., for appellant Doris Gonzalez (Arleo & Donohue, attorneys)

**Joyce Clayborne**, Assistant Corporation Counsel, City of Newark, for respondent  
(Willie L. Parker, Corporation Counsel, attorney)<sup>1</sup>

Record Closed: April 10, 2017

Decided: June 26, 2017

BEFORE **MUMTAZ BARI-BROWN**, ALJ:

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<sup>1</sup> Andy Jung, Assistant Corporation Counsel, appeared at the hearing.

**STATEMENT OF THE CASE**

Appellant Doris Gonzalez (appellant or Gonzalez), a police officer employed by the City of Newark Police Department (respondent or Department), appeals four disciplinary charges and the resulting suspensions as follows:

Charge One—OAL Dkt. No. 04313-15

Charges for incident on September 28, 2014: Insubordination; Neglect of Duty; Obedience to Orders; Absent without Leave; Malingering; False Statements; (CAP #2014-118, IOP #2014-515). Appellant received a six-day suspension for this infraction.

Charge Two—OAL Dkt. No. 20508-15

Charges for incident on March 24, 2015: Absent without Leave; Neglect of Duty; (CAP #2015-056, IOP #2015-177). Appellant received a thirty-day suspension for this infraction.

Charge Three—OAL Dkt. No. 20508-15

Charges for incident on March 24, 2015: Insubordination; Neglect of Duty; Punctuality; Unprofessional Use of Language; (CAP #2015-057, IOP #2015-171). Appellant received a forty-five-day suspension for this infraction.

Charge Four—OAL Dkt. No. 20508-15

Charges for incident on March 9, 2015: Neglect of Duty; False Statements; (CAP #2015-050, IOP #2015-123). Appellant received a fifteen-day suspension for this infraction.

## PROCEDURAL HISTORY

On March 27, 2015, the Civil Service Commission transmitted Charge One to the Office of Administrative Law (OAL) as a contested case. The matter was assigned to John Scollo, ALJ, under docket number CSV 04313-15.

On December 10, 2015, the Civil Service Commission transmitted Charges Two, Three and Four to the OAL, where they were assigned to Mumtaz Bari-Brown, ALJ, under docket number CSV 20508-15. The matters were consolidated by Order on February 18, 2016. A hearing was held on September 28, and November 15, 2016. The record remained open for receipt of post-hearing briefs, and closed on April 10, 2017. For good cause, an extension of time to complete the initial decision was granted. N.J.S.A. 52:14B-10(c); N.J.A.C. 1:1-18.8.

## SUMMARY OF EVIDENCE

### Charge One—OAL Dkt. No. CSV 04313-15 (6-Day Suspension)

**CHARGE I:** Violation of Newark Police Department Rules and Regulations, Chapter 18:8, **ACTS OF INSUBORDINATION**—Department members shall not commit acts of insubordination or disrespect to any superior officer (2 Counts).

**CHARGE IB:** Violation of Civil Service Rule N.J.A.C. 4A:2-2.3(a)2. An employee may be subject to discipline for: 2. Insubordination.

**SPECIFICATION:** On September 28, 2014, Police Officer Doris Gonzalez did commit an act of insubordination to Lieutenant Freddie Hill, a superior officer, to wit: after being given a direct order by Lieutenant Freddie Hill to remain on duty at the end of her tour to work mandatory overtime due to staff level shortage on the following shift, Police Officer Gonzalez immediately stated to Lieutenant Hill in a rude and disrespectful manner, "No, I ain't staying, I'm booking off sick, I'm taking antibiotics!" Moments later Police Officer Gonzalez responded to the Desk Area of the precinct where she stated to Lieutenant Hill "are you really going to make me stay, because if you are, I am going to book off sick." Lieutenant Hill responded, "Yes, I am ordering you to work overtime." At that point Officer Gonzalez became even more boisterous and defiant stating, "No, I ain't staying, I'm booking off sick!" Then [she] asked Police Officer Nathan Headd for a blue and white card because she was booking-off, after

retrieving the cards Officer Gonzalez filled out same and walked out of the precinct.

**CHARGE II:** Violation of Newark Police Department Rules and Regulations, Chapter 5:4.1, **OBEDIENCE TO ORDERS**—Police officers or civilian employees shall promptly and fully obey any lawful order directed to them by a superior officer.

**SPECIFICATION:** On September 28, 2014, Police Officer Doris Gonzalez did receive a lawful verbal order from Lieutenant Freddie Hill, a superior officer, directing her to remain on duty and work in mandatory overtime capacity following her tour of duty. Officer Gonzalez did disobey this order when she failed to comply as directed.

**CHARGE III:** Violation of Newark Police Department Rules and Regulations, Chapter 18:6, **NEGLECT OF DUTY**—Department members shall not commit any act nor shall they be guilty of any omission that constitutes neglect of duty.

**CHARGE IIIB:** Violation of Civil Service Rule N.J.A.C. 4A:2-2.3(a)7. An employee may be subject to discipline for: 7. Neglect of Duty.

**SPECIFICATION:** On September 28, 2014, Police Officer Doris Gonzalez did neglect her duty when she failed to remain on duty and work in mandatory overtime capacity following her tour of duty as directed to do so by Lieutenant Freddie Hill, a superior officer.

**CHARGE IV:** Violation of Newark Police Department Rules and Regulations, Chapter 18:11, **MALINGERING**—Department members shall not feign illness, injury or incapacity to perform required duties, nor shall they fail to follow a lawful order issued by Police Surgeon or other Surgeon acting in his stead.

**SPECIFICATION:** On September 28, 2014, Police Officer Doris Gonzalez did feign illness, when after given a direct order by Lieutenant Freddie Hill to remain on duty and work in mandatory overtime capacity following her tour of duty, due to staff level shortage, Police Officer Doris Gonzalez booked off sick.

**CHARGE V:** Violation of Newark Police Department Rules and Regulations, Chapter 18:2, **ABSENCE WITHOUT LEAVE**—Police officers shall not be absent from duty except for illness or injury without the consent of a superior officer.

**CHARGE VB:** Violation of Civil Service Rule N.J.A.C. 4A:2-2.3(a)11. An employee may be subject to discipline for: 11. Absence without leave.

**SPECIFICATION:** On September 28, 2014, Police Officer Doris Gonzalez did absent herself from mandatory overtime at the Fifth Precinct without the consent of a superior officer.

**CHARGE VI:** Violation of Newark Police Department Rules and Regulations, Chapter 18:22, **FALSE STATEMENT**—Police officers shall not falsify any official report or record.

**SPECIFICATION:** On October 14, 2014, Police Officer Doris Gonzalez did submit an Administrative Report, DPI:1001, regarding her actions on September 28, 2014, with intent to deceive, in that she reported that "Lieutenant Hill failed to mention that when he first spoke to her in the report room, she made him aware of her health condition, at which time Lieutenant Hill stated to her, "he didn't care about her health condition and then ordered her to work overtime" although knowing in truth that said information was false and contrary to fact.

### **Summary of Testimony on Charge One**

Respondent presented Lieutenant Freddie Hill, who testified that on September 28, 2014, Officer Gonzalez worked the 11-p.m.-to-7-a.m. shift. Prior to the end of the shift he realized there would be a staffing shortage on the next shift (7 a.m. to 3 p.m.). Per Department procedure he asked for volunteers to cover that shift, and, finding none, he checked the "involuntary overtime" ledger, which listed the next officer in line to work mandatory overtime. Officer Gonzalez was next on the list and, thus, Lieutenant Hill ordered Officer Gonzalez to work a mandatory overtime shift from 7 a.m. to 3 p.m. Lieutenant Hill maintained that Officer Gonzalez responded in a "nasty, . . . rude and disrespectful manner," saying, "No, I ain't staying, I'm booking off sick, I'm taking antibiotics!" (R-9.)

Shortly thereafter, he and Gonzalez were standing in the desk area of the precinct. Also present were officers Nathan Headd and Kiva Williams. Lieutenant Hill further maintained that Officer Gonzalez asked him if she "really" had to work the overtime shift and stated, "If so, I'm booking off sick!" (R-9.) Lieutenant Hill denied responding that he didn't care that she was sick. At that point, Officer Gonzalez asked Officer Headd for a blue-and-white card to book off sick. She then filled out the card, booked off sick, and walked out of the precinct. Hill described Gonzalez's demeanor as



“upset and angry.” Later that day, at 3:15 p.m., Officer Gonzalez booked in for her scheduled shift.

Lieutenant Hill explained that the Police Department is a paramilitary organization and operates under a chain of command. For example, all police officers, including Officer Gonzalez, are considered as subordinate officers who must abide by all lawful orders from their superiors. Consequently, Officer Gonzalez’s refusal to cover mandatory overtime constituted disobedience of a lawful order.

Lieutenant Hill also believed that Officer Gonzalez used the Department’s sick-leave policy to circumvent his order to work mandatory overtime. (R-3; R-8.) Thus, disobeying his order also constituted insubordination (R-10), neglect of duty (R-12), malingering (R-13), absence without leave (R-14), and making a false statement (R-15).

Under cross-examination, Lieutenant Hill stated that he was unaware that Officer Gonzalez was a cancer survivor, and he did not question her about any of her medication. Lieutenant Hill acknowledged that he did not refer Officer Gonzalez to the police surgeon as required by Department rules. (R-14.) Nevertheless, Hill maintained, Gonzalez’s refusal to work overtime constituted insubordination. (R-9.)

Appellant presented Officer Latasha Taylor, who worked the same shift as Officer Gonzalez on September 28, 2014. Taylor recalled that towards the end of the shift, Lieutenant Hill requested volunteers to work overtime. Officer Taylor heard Lieutenant Hill direct Officer Gonzalez to work the overtime shift. Taylor also heard Gonzalez respond that she was sick. However, Taylor did not hear Lieutenant Hill say that he did not care. Taylor could not recall any further details about the incident or whether Gonzalez stayed and followed the order to work overtime. Taylor noted that, to the best of her recollection, Gonzalez was not disrespectful.

Appellant acknowledged that her refusal to work overtime, as ordered by Lieutenant Hill, resulted in charges of insubordination, obedience to orders, neglect of duty, malingering, absence without leave, and false statements, for which she was given a six-day suspension beginning March 16, 2015, and ending March 23, 2015. (R-

1.) Appellant maintained, however, that she explained her reasons for not working overtime to Lieutenant Hill. She said that she told Lieutenant Hill that she was too sick to perform overtime duties due to a sinus infection, for which she was taking antibiotics. She also testified that the medication caused her body to retain water and her feet to swell. However, she denied speaking to Lieutenant Hill in a disrespectful, angry, and unprofessional manner. She disclosed that in 2009 she underwent radiation for thyroid cancer, which left two nodules on her throat and made it impossible for her to raise her voice. Gonzalez further testified that although she was too ill to work overtime, she felt better later that day and reported for duty at 3:15 p.m.

Regarding her Administrative Submission report (R-7), Gonzalez testified that she knew the importance of submitting a complete and accurate report. She maintained, however, that Lieutenant Hill would not allow her to include specific details describing her symptoms. She further maintained that she informed a Sergeant Eury of her illness.

**Charge Two—OAL Dkt. No. CSV 20508-15 (30-Day Suspension)**

**CHARGE I:** Violation of Newark Police Department Rules and Regulations, Chapter 18:2, **ABSENCE WITHOUT LEAVE**—Police Officers shall not be absent from duty except for illness or injury without the consent of a superior officer (2 counts).

**CHARGE IB:** Violation of Civil Service Rule N.J.A.C. 4A:2-2.3(a)11. Absence without leave.

**SPECIFICATION I:** On March 24, 2015, Police Officer Doris Gonzalez, did absence herself from her tour of duty at the Fifth Precinct without consent of a superior officer.

**CHARGE II:** Violation of Newark Police Department Rules and Regulations, Chapter 18:6, **NEGLECT OF DUTY**—Department members shall not commit any act nor shall they be guilty of any omission that constitutes neglect of duty.

**CHARGE IIB:** Violation of Civil Service Rule N.J.A.C. 4A:2-2.3(a)7. An employee may be subject to discipline for: 7. Neglect of Duty.

**SPECIFICATION:** On March 11, 2015, Police Officer Doris Gonzalez did neglect her duty when she failed to verify the return date of her

suspension upon service of Final Notice of Disciplinary Action, to clear up any discrepancies she may have.

**Summary of Testimony on Charge Two**

Appellant's thirty-day suspension relates to the incident of September 28, 2014, resulting in the six-day suspension.

Respondent presented Lt. Mathew Milton, who testified about Gonzalez's return to work after completing the six-day suspension. Lieutenant Milton's Administrative Submission states in part:

SUBJECT: Absent without leave

[I]n regards to Officer Gonzalez . . . not reporting for duty. Officer Gonzalez was scheduled to work March 24th and 25th 2015 for her regular tour of A1 squad . . . Officer Gonzalez was out the week of March 18th, 19th, 20th and 21st. I calculated from Officer Gonzalez's work days, that she would have still been on suspension for the 24th and 25th and the fact that she was on the Assignment Tour Sheet was a clerical error and adjusted the assignment sheet. I was later informed on the morning of 3/25/2015 that the suspension time was not work days, but rather consecutive days and Officer Gonzalez should have been at work for March 24th and 25th.

[R-28.]

Lieutenant Milton further testified that he did not notify appellant about the schedule adjustment and that she was supposed to work on March 24, and March 25, 2015. He believed, however, that Lieutenant Lopez might have contacted Officer Gonzalez about the schedule change.

Respondent presented Sgt. Marc Priccaciante, who handled the internal investigation regarding Lieutenant Hill's allegations that "Officer Gonzalez's tone of voice seemed disrespectful as she verbally explained why she was late for duty because she had been out of work due to suspension." (R-37.) Sergeant Priccaciante

candidly testified that he was unsure how to calculate the days of Officer Gonzalez's suspension and return to duty. He believed she should have returned on March 24, 2015, if she was scheduled to work that day. But, if March 24, 2015, was a scheduled day off, then Officer Gonzalez's return date would have been March 25, 2015. Lieutenant Priccaciante sought advice on this issue from Sgt. Beatrice Golden, advocate unit supervisor.

Sergeant Golden has been employed by the Department for twenty-six years. Her duties as advocate unit supervisor include preparing the written disciplinary charges and serving the Final Notice of Disciplinary Action. She testified that suspension days for police officers are counted consecutively. On March 3, 2015, Sergeant Golden signed Officer Gonzalez's Final Notice of Disciplinary Action, which states, "The following disciplinary action has been taken against you: Suspension for 6 days, beginning March 16, 2015 and ending March 23, 2015." (R-1.) Thus, Gonzalez's return date was March 24, 2015. Golden maintained that Gonzalez had a duty to verify her return date and should have contacted the Department if she had questions.

Gonzalez acknowledged receiving notice of the six-day suspension (R-1). She maintained, however, that her suspension was not calculated on consecutive days. Rather, it covered her scheduled workdays. She further testified that prior to returning to work, she called the supervisor, who told her to return on March 25, 2015, because March 24, 2015, was a scheduled day off. Thus, after completing her six-day suspension she returned to work on March 25, 2015.

Appellant presented Officer Eduardo Rocas, who testified that his suspension regarding the incident at 2 S. Place also listed consecutive days. Uncertain whether to apply scheduled work days, he contacted his union. Officer Rocas maintained that he was given permission to serve his suspension based on his workdays.

**Charge Three—OAL Dkt. No. CSV 20508-15 (45-Day Suspension)**

**CHARGE I:** Violation of Newark Police Department Rules and Regulations, Chapter 18:8, **ACTS OF INSUBORDINATION**—Department

members shall not commit acts of insubordination or disrespect to any superior officer (2 Counts).

**CHARGE IB:** Violation of Civil Service Rule N.J.A.C. 4A:2-2.3(a)2. An employee may be subject to discipline for: 2. Insubordination.

**SPECIFICATION I:** On March 25, 2015, Police Officer Doris Gonzalez did commit an act of insubordination to Lieutenant Freddie Hill, a superior officer, to wit: after being given a direct order by Lieutenant Freddie Hill to submit an Administrative Report explaining the reason she was late for duty, Police Officer Gonzalez reported, "I just came back from suspension thanks to Lieutenant Hill."

**SPECIFICATION II:** On March 25, 2015, Police Officer Doris Gonzalez did commit an act of insubordination to Lieutenant Freddie Hill, a superior officer, to wit: during a conversation relative to Police Officer Gonzalez's lateness for duty, Officer Gonzalez stated to him in a rude and disrespectful manner, "It was thanks to you that I was suspended."

**SPECIFICATION III:** On March 25, 2015, Police Officer Doris Gonzalez did commit an act of insubordination to Lieutenant Freddie Hill, a superior officer, to wit: while providing Officer Gonzalez with a copy of the Administrative Report she wrote, Office Gonzalez rudely snatched the report from Lieutenant Hill's hand.

**CHARGE II:** Violation of Newark Police Department Rules and Regulations, Chapter 18:6, **NEGLECT OF DUTY**—Department members shall not commit any act nor shall they be guilty of any omission that constitutes neglect of duty.

**CHARGE IIB:** Violation of Civil Service Rule N.J.A.C. 4A:2-2.3(a)7. An employee may be subject to discipline for: 7. Neglect of Duty.

**SPECIFICATION:** On March 25, 2015, Police Officer Doris Gonzalez did neglect her duty when she failed to speak to Lieutenant Freddie Hill, desk supervisor, advising him that she would be late for duty.

**CHARGE III:** Violation of Newark Police Department Rules and Regulations, Chapter 5:3.1, **PUNCTUALITY**—Police officers shall be punctual in reporting for duty.

**SPECIFICATION:** On March 25, 2015, Police Officer Doris Gonzalez failed to report for duty promptly at the Fifth Precinct.

**CHARGE IV:** Violation of Newark Police Department Rules and Regulations, Chapter 17:1.11, **CONCISENESS AND ORDINARY USE OF LANGUAGE**—Official Department correspondence shall be plain and concise in language. Statements shall be made in terms that cannot be misunderstood. Each paragraph shall deal with only one phase of the

general subject. Unnecessary introductory or explanatory paragraphs shall be avoided.

**SPECIFICATION:** On March 25, 2015, Police Officer Doris Gonzalez did violate the above rule when she submitted an Administrative Report, relative her failure to report for duty promptly at the Fifth Precinct, in that: Officer Gonzalez wrote, "I just came back from suspension thanks to Lieutenant. Hill."

### **Summary of Testimony on Charge Three**

Appellant's forty-five-day suspension also relates to the incidents of September 28, 2014, followed by March 25, 2015. Respondent presented Lieutenant Hill, who testified that on March 25, 2015, Officer Gonzalez was late for duty without providing him notice. Thus, he ordered Officer Gonzalez to submit an administrative report documenting the reasons she was late for work. Hill maintained that after Gonzalez responded that she was unsure of the date she was due back, she stated in a rude and disrespectful manner, "Thanks to you that I was suspended!" After he reviewed her administrative report, she "very rudely snatched it" from his hand. (R-20.) Lieutenant Hill further maintained that her Administrative Submission included the unnecessary and unprofessional comment, "I just came back from suspension thanks to Lieutenant Hill." (R-18.) Lieutenant Hill concluded that her statement was not relevant to his order.

Sgt. Marc Priccaciante handled the investigation regarding Lieutenant Hill's claim that Officer Gonzalez was disrespectful in reporting the reason she was late for duty on March 25, 2015. Sergeant Priccaciante concluded that Officer Gonzalez conducted herself in the manner described by Lieutenant Hill, which constituted insubordination. (R-37.)

### **Charge Four—OAL Dkt. No. CSV 20508-15 (15-Day Suspension)**

**CHARGE I:** Violation of Newark Police Department Rules and Regulations, Chapter 18:6, **NEGLECT OF DUTY**—Department members shall not commit any act nor shall they be guilty of any omission that constitutes neglect of duty.

**CHARGE IB:** Violation of Civil Service Rule N.J.A.C. 4A:2-2.3(a)7. An employee may be subject to discipline for: 7. Neglect of Duty;

**SPECIFICATION:** On March 09, 2015, at 2 [S.] Place, Police Officers Doris Gonzalez and Eduardo Rocés did neglect their duty when they failed to diligently carry out all of the duties, responsibilities and function of their positions and/or employment, in that: Police Officers Gonzalez and Rocés were dispatched to a domestic violence assignment, both officers failed to exit their patrol unit to gain entry into the dwelling. Instead officers notified dispatch they were unable to gain access into the building. It was later determined that the building is unsecured and the locks were inoperable. As a result of Officers Gonzalez's and Rocés's neglect the victim was assaulted a second time by the actor (the assault was overheard by call taker).

**CHARGE II:** Violation of Newark Police Department Rules and Regulations, Chapter 5:4.1, **OBEDIENCE TO ORDERS**—Police officers or civilian employees shall promptly and fully obey any lawful order directed to them by a superior officer.<sup>2</sup>

**SPECIFICATION:** On March 09, 2015, at 2 [S.] Place, Police Officer Doris Gonzalez and Eduardo Rocés did receive a verbal order from Lieutenant Mathew Milton, a superior officer, directing officers to detain and conduct a field interrogation on the actor involved in the domestic violence incident. Police Officers Gonzalez and Rocés did disobey this order when they failed to comply as directed. As a result, the actor was able to leave the scene and later placed into custody by another unit.

**CHARGE III:** Violation of Newark Police Department Rules and Regulations, Chapter 18:22, **FALSE STATEMENTS**—Police officers shall not falsify any official report or record (2 counts).

**SPECIFICATION I:** On March 09, 2015, Police Officers Doris Gonzalez and Eduardo Rocés did falsify an Official Record, to wit: dispatch communication, in that officers notified dispatch they were unable to gain access into dwelling of a domestic violence incident, although knowing in truth that said information was false and contrary to fact.

**SPECIFICATION II:** On March 09, 2015, Police Officer Doris Gonzalez and Eduardo Rocés, did submit an Administrative, DPI: 1001, to their command with intent to deceive, in that they indicated "they were unable to gain access into the dwelling," although knowing in truth that said information was false and contrary to fact.

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<sup>2</sup> Respondent dismissed the charge of Obedience to Orders prior to the OAL hearing.

### **Summary of Testimony on Charge Four**

Appellant presented Officer Eduardo Roces, who testified about the incident on March 9, 2015, where he and his partner, Gonzalez, were working the midnight shift. They were dispatched to 2 S. Place on a domestic-violence call. Upon arrival, Gonzalez attempted to open the front door, which had been locked. Thus, he asked dispatch to contact the victim about the locked door. (R-29.) The victim responded that the door was not locked, but nevertheless came downstairs, and was followed by the man whom Roces described as the "actor." Roces called for backup, and three officers shortly arrived. When informed by the victim that she decided not to "press charges," Roces allowed the suspect to leave the premises. Roces acknowledged that he was disciplined and charged with neglect of duty.

Under cross-examination, Roces described the entrance as having two doors. (R-23; R-24; R-32.)

Respondent presented Lt. Mathew Milton, an eighteen-year veteran of the Department. He responded to the backup call at 2 S. Place. Lieutenant Milton was familiar with the building and had been dispatched to that address "ten to fifteen times." He described the entry and two doors leading into the hallway. Lieutenant Milton further testified that he had never found the doors locked. In fact, the exterior door was incapable of being locked due to a faulty pin mechanism. Additionally, the second door in the vestibule had a broken clasp, and, thus, could not be locked.

Lieutenant Milton further testified that upon arriving at the building, he observed Officer Roces with the suspect and the victim walking down the stairwell towards them. Lieutenant Milton "advised" Officer Roces to conduct a field inquiry and record check. Milton heard Gonzalez say, "It's taken care of." Lieutenant Milton then spoke with the victim about the incident while the suspect remained with officers Gonzalez, Roces and Lindsey. The victim told Lieutenant Milton that the doors do not lock, and when she went downstairs she was followed and assaulted. Lieutenant Milton recalled observing the suspect with Officers Gonzalez and Roces, and he assumed they were taking the suspect to the police station. However, they released the suspect, who left the area, but



was subsequently stopped and arrested by Officer Lindsey. During processing of the suspect's arrest, it was revealed that he had two open warrants, which the check would have disclosed before he left the scene of the incident.

Respondent also presented Lt. Lawee Colbert, Jr., who handled the investigation. He testified that the City closed the building after receiving numerous complaints, including the removal of door locks, which made the building unsecured. He further testified that when dealing with domestic-violence calls, police officers are required to go over questions on a special form, which would have been applicable in this situation.

Appellant described her view of the incident. Upon being dispatched to the domestic-violence call with her partner, Officer Roces, she found that the inner door was locked. Thus, the victim was asked to come downstairs and open the door. Officer Gonzalez then followed her back upstairs. Gonzalez observed no signs of physical injury, but testified that the victim was "drunk" and wanted the "actor" to leave the apartment. Gonzalez did not question the suspect, nor did she perform a record check prior to letting the suspect go. Prior to leaving the premises, Officer Gonzalez reported her observations to Lieutenant Milton. Officer Gonzalez maintained that based on her observation of, conversation with, and interaction with the victim, she followed protocol.

### DISCUSSION

The Civil Service Commission has jurisdiction to hear major disciplinary disputes under N.J.S.A. 34:13A-5.3. Major discipline includes removal or fine or suspension of more than five working days. N.J.A.C. 4A:2-2.2. Employees may be disciplined for insubordination, neglect of duty, failure to perform duties, and conduct unbecoming a public employee, among other things. N.J.A.C. 4:2-2.3. Appeals before the Commission are conducted as hearings de novo. East Patterson v. Dep't of Civil Serv., 47 N.J. Super. 55 (App. Div. 1957); Newark v. Civil Serv. Comm'n, 114 N.J.L. 406, 413 (Sup. Ct. 1935).

The City of Newark Police Department has the burden of proving the charges against Officer Doris Gonzalez by a preponderance of the credible evidence. N.J.S.A. 11A:1-1 to 12-6. Preponderance is the greater weight of credible evidence and convincing power presented, not necessarily dependent on the number of witnesses. State v. Lewis, 67 N.J. 47 (1975). Moreover, 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 (1958). And, where the standard is reasonable probability, the evidence must be such as to "generate belief that the tendered hypothesis is in all human likelihood the fact." Lowe v. Union Beach, 56 N.J. Super. 93, 104 (App. Div. 1959).

A major factor in proving the charges against Officer Gonzalez is the credibility of the witnesses, whose testimony may be disbelieved, but may not be disregarded. Middletown Twp. v. Murdoch, 73 N.J. Super. 511 (App. Div. 1962). Thus, the trier of fact is not bound to believe the testimony of any witness, and may accept or reject, in whole or in part, the testimony. Application of Howard Sav. Bank, 143 N.J. Super. 1 (App. Div. 1976). Consequently, in assessing the credibility of the evidence, this tribunal must "decide in favor of the party on whose side the weight of the evidence preponderates, and according to the reasonable probability of the truth." Jackson v D.L. & W.R.R., 111 N.J.L. 487, 490 (E. & A. 1933).

## CONCLUSIONS

### Charge One

On September 28, 2014, Officer Gonzalez disobeyed Lieutenant Hill's order to work overtime. She maintained she was too ill to work. Officer Gonzalez denied that her behavior towards Lieutenant Hill was disrespectful. Respondent charged appellant with insubordination, neglect of duty, obedience to orders, absence without leave, malingering, and false statements. Respondent imposed a six-day suspension.

Appellant does not dispute refusing Lieutenant Hill's order to work overtime. She maintained that her reason for disobeying a direct order was illness. It would have been sufficient and reasonable to simply explain that the symptoms she was experiencing

would interfere with her ability to properly carry out her duties. However, while Officer Gonzalez might have been suffering from a sinus infection, taking medication, and experiencing swollen feet, she nevertheless remained on her full shift without complaint to any of her fellow workers. Remarkably, subsequent to Lieutenant Hill ordering her to stay and work mandatory overtime, her response was intertwined with rude and disrespectful behavior towards a superior officer.

Respondent notes that insubordination is behavior that is "not submissive to authority: disobedient." (Respondent's Brief.) It may also embody "non-compliance and non-cooperation, as well as affirmative acts of disobedience." Ibid. Moreover, depending on the circumstances, insubordination can occur even where no specific order or direction has been given to the allegedly insubordinate person.

Based upon the foregoing, and having had the opportunity to listen to the witnesses, observe their demeanor, assess their credibility, and review the documents in evidence, I **FIND** that Officer Gonzalez told Lieutenant Hill that she was too ill to work the overtime shift, and added, "No, I ain't staying, I'm booking off sick, I'm taking antibiotics!" I further **FIND** that Officer Gonzalez refused to work the overtime shift, booked off sick, and responded to a superior in a disrespectful and unprofessional manner.

The parties do not dispute that the Department is a paramilitary organization with a chain of command. Thus, police officers and civilian employees must obey lawful orders directed by superior officers. "Neglect of duty" has been interpreted to mean that an employee has neglected to perform and act as required by his or her job title. Ortiz v. City of Newark, CSV 12056-04, Initial Decision (February 8, 2006), modified, MSB (April 6, 2006), <<http://njlaw.rutgers.edu/collections/oal/>> (citing Avanti v. Dep't of Military and Veterans Affairs, 97 N.J.A.R.2d (CSV) 564).

Based on the credible evidence presented by respondent, I **FIND** and **CONCLUDE** that Officer Gonzalez disobeyed a lawful order when she refused to work mandatory overtime and booked off sick. I also **CONCLUDE** that Officer Gonzalez's failure to report to mandatory overtime constituted neglect of duty. I further

**CONCLUDE** that Officer Gonzalez's behavior constituted insubordination, disobedience to orders, neglect of duty, and absence without leave.

Regarding the charges of malingering and false statements, the issue is whether Officer Gonzalez feigned illness, injury, or incapacity to perform required duties. The record reflects that prior to Lieutenant Hill's order to work the mandatory shift, Officer Gonzalez worked without incident or complaint. She describes her manner of speaking in response to Lieutenant Hill's order as "simply and matter-of-factly." (Appellant's Brief.) Feeling too ill to work overtime, she went home, took her medication, then felt better, and "booked back on for duty later that day but was off the next two days." Ibid. Appellant argues that her booking back on "meant simply that she was not requesting additional leave due to illness." Ibid. I have also considered appellant's administrative submission, including her testimony that Lieutenant Hill would not let her describe the symptoms of her illness in the report. Yet, she included Lieutenant Hill's remarks that "he didn't care she was sick." Respondent argues, "This makes no sense." I agree.

Respondent further notes that Officer Gonzalez's return to duty fifteen minutes after the overtime shift ended suggests that she either recovered from her illness or that her illness was never severe enough to prevent her covering the overtime shift. Respondent's argument on this issue is more persuasive than that presented by appellant. Consequently, I **CONCLUDE** that appellant's refusal to report for overtime without the consent of a superior officer constituted malingering and false statements.

### **Charge Two**

Charge Two is directly related to the September 28, 2014, incident described in Charge One. This charge concerns the dispute between the parties regarding the date on which appellant was to return to work after serving the six-day suspension, beginning March 16, 2015, and ending March 23, 2015. Respondent contends that appellant should have returned on March 24, 2015. Appellant contends that her return date was March 25, 2015. Consequently, respondent charged that appellant's failure to return to work on March 24, 2015, constituted absence without leave and neglect of duty, for which she received a thirty-day suspension.

Respondent asserts that officers serve their suspension days consecutively, based on a Monday-through-Friday schedule. Moreover, they are provided notice at the time they are served with the Final Notice of Disciplinary Action. Officer Roces testified that he was confused over how to calculate his return date after a suspension. Sergeant Priccacianté candidly testified that he was unsure how to calculate Officer Gonzalez's return-to-duty date. He believed she should have returned on March 24, 2015, if she was scheduled to work that day. But, if March 24, 2015, was a scheduled day off, then Officer Gonzalez's return date would have been March 25, 2015. Eventually, Sergeant Priccacianté sought advice from Sergeant Golden, who testified that suspension days are counted consecutively. Since appellant's suspension for six days ran from March 16, 2015, to March 23, 2015, her return date was March 24, 2015. Sergeant Golden submits that if Gonzalez was unsure or did not know how to calculate the return date, she had a duty to contact the Department.

Respondent candidly conceded, "the March 25, 2015, Absence without Leave charge should have been dismissed because Appellant did not return to work as required on March 24, 2015, but did show up late to work on March 25, 2015." I agree. However, "unlike Officer Roces, the Appellant never received permission from the Police Director to serve her suspension days based on her work schedule. Despite being provided with notice that she was to serve her suspension days consecutively, [s]he was defiant and chose to improperly serve her suspension days." (Respondent's Brief.) Thus, respondent submits that appellant is guilty of absence without leave for March 24, 2015.

Respondent further asserts that Officer Gonzalez knew that her return date following her suspension "conflicted with her own opinion on how to serve the days." Ibid. "Despite being provided with notice as to how she was supposed to serve the days consecutively on a Monday through Friday schedule . . . she knew the suspension dates were for her working days." Ibid. Thus, respondent submits that appellant neglected to verify her return date, and therefore she is guilty of neglect of duty.

Appellant argues, "There was substantial confusion as to whether the suspension days should be calculated on a work day schedule or a calendar schedule." (Appellant's Brief.) I agree. Indeed, Sergeant Priccaciante and Sergeant Golden acknowledged that there is no written policy setting forth the calculation procedure. Appellant further notes that Sergeant Golden "conceded that if the return date after a suspension falls on an officer's day off, then the return date would be the officer's next day of duty." Ibid.

Officer Gonzalez maintained that she too was uncertain of how to calculate her return date, either March 24, or March 25, 2015. She further testified that she contacted her shift commander, who said the calculation of suspension days was based on the work schedule and not calendar days. Here, appellant's argument that the Department "has no clear explicit written policy concerning the calculation of suspension days" is unrefuted and persuasive. Moreover, there exists confusion among Department employees who interpreted return dates; some calculated consecutively, others applied work-day schedules or calendar days.

Based on the circumstance presented, I **CONCLUDE** that respondent failed to demonstrate by a preponderance of the credible evidence that appellant's failure to return to work on March 24, 2015, constituted absence without leave.

I further **CONCLUDE** that respondent failed to demonstrate by a preponderance of the credible evidence that appellant's failure to return on March 24, 2015, constituted neglect of duty.

Thus, I further **CONCLUDE** that Charge Two is unsupported and must be dismissed.

### **Charge Three**

Charge Three also relates to the September 28, 2014, incident described in Charge One and Charge Two. It concerns appellant's alleged statements and demeanor towards Lieutenant Hill following her return to duty after serving the six-day

suspension. The Department charged Officer Gonzalez with insubordination, neglect of duty, failure to be punctual, and unprofessional use of language and imposed a forty-five-day suspension.

The parties do not dispute that Officer Gonzalez was late for work on March 25, 2015. However, they differ on the words spoken by Gonzalez and her attitude. Respondent maintains that appellant failed to notify Lieutenant Hill that she would be late for duty. Appellant maintained that she was unable to reach Lieutenant Hill, but notified the front desk. Upon her arrival, Lieutenant Hill questioned appellant and ordered her to submit an administrative report documenting the reason she was late. Respondent maintains that appellant responded, in a rude and disrespectful manner, "it was thanks to you that I was suspended!" (Respondent's Brief.)

Additionally, after Lieutenant Hill reviewed the administrative report and handed a copy to appellant, "she rudely snatched it" from his hand. Ibid. Gonzalez denied snatching the report from his hand. Regarding appellant's Administrative Submission, she included the statement, "I just came back from suspension thanks to Lieutenant Hill." (R-18; R-20.) Lieutenant Hill believed her statement was not relevant to his order and again displayed disrespect to a superior officer.

Respondent asserts that appellant's verbal and written remarks, and "snatching" the report out of Lieutenant Hill's hand, constituted insubordination. Respondent further submits that appellant's denial that these acts occurred is incredible, because "she has shown herself to be brash and impulsive." (Respondent's Brief.) Respondent submits that Lieutenant Hill's testimony is credible; Officer Gonzalez's is not. The Department further maintains that appellant's failure to notify the Department that she would be late for work constituted neglect of duty.

Based on the evidence presented by the parties, including the opportunity to observe the demeanor of the witnesses, I am persuaded that Officer Gonzalez's behavior and the incidents occurred as presented by respondent. I **CONCLUDE** that appellant's conduct constituted insubordination, neglect of duty, failure to be punctual, and unprofessional use of language.

#### **Charge Four**

Charge Four relates to Officer's Gonzalez handling of a domestic-violence dispatch call on March 9, 2015. Respondent charged appellant with neglect of duty and false statements, and imposed a fifteen-day suspension. The parties acknowledged that appellant and her partner responded to a domestic-violence call. Appellant claims, however, that the door to the hallway at the premises was locked. Respondent claims it was not.

Respondent contends that appellant neglected her duty and made false statements when, "instead of rendering assistance to the victim, she lied to Dispatch that the door was locked." (Respondent's Brief.) Consequently, appellant's conduct caused the victim to leave the apartment, followed by her "boyfriend," who then assaulted her. Respondent further asserts that appellant failed to appropriately question the victim and failed to ask the suspect any questions. Moreover, no record check was conducted on the suspect. Officers Lindsey and Pinzon submitted statements that the building was unsecured when they entered. Respondent submits that it has met its burden of proving appellant guilty of the charges.

Appellant maintains that the doors were locked and, thus, prevented her from entering the building until the victim came downstairs and opened the door. Unfortunately, the victim's boyfriend followed and assaulted her. Appellant submits that she did not neglect her duty or make any false statements. Instead, appellant submits, "Officer Gonzalez and her partner may have been mistaken as to whether the door was actually locked or just stuck." (Appellant's Brief.)

Having carefully reviewed the evidence and having observed the demeanor of the witnesses, I am persuaded that the incident occurred as presented by respondent. Therefore, I **CONCLUDE** that appellant's conduct constituted neglect of duty and false statements.



## PENALTY

In determining the reasonableness of a sanction, the employee's past record and any mitigating circumstances should be reviewed for guidance. West New York v. Bock, 38 N.J. 500 (1962). However, the courts should not adhere to rigid disciplinary guidelines in assessing penalties. To determine whether sufficient cause exists to justify the sanction, the conduct must be examined considering certain factors. Moreover, the employee's conduct must be evaluated in context with its relationship to the nature of the job and the circumstances, which may impact specific conduct. On appeal, the Board may modify a penalty originally imposed. N.J.S.A. 11A:2-19; Henry v. Rahway State Prison, 81 N.J. 571 (1980). Indeed, the Board is empowered to substitute its judgment on the appropriate penalty, even if the local appointing authority has not clearly abused its discretion. Henry, supra, 81 N.J. at 579. However, the penalty imposed may not be so disproportionate to the offense and the mitigating factors that the administrative decision is arbitrary and unreasonable. Feldman v. Town of Irvington Fire Dep't, 162 N.J. Super. 177, 182 (App. Div. 1978), overruled on other grounds by Steinel v. Jersey City, 99 N.J. 1 (1985).

The charges against Officer Gonzalez are serious, and I have considered whether mitigating factors exist to reduce the penalty. Conversely, I have equally considered whether there are aggravating circumstances to warrant an increase in the penalty imposed by the Department. Although the record contains several inconsistencies in the appellant's testimony, this does not necessarily prove that her total testimony was untruthful. Indeed, some inconsistencies in a witness's testimony do not warrant an automatic discounting of that testimony as incredible. United Stations of N.J. v. Getty Oil Co., 102 N.J. Super. 459 (Ch. Div. 1968). The testimony must be such that the administrative law judge can reasonably conclude that the witness is wholly unworthy of belief. Accordingly, the trier of fact must carefully weigh the evidence before rejecting testimony, even if not directly contradicted, when it is contrary to the circumstances.

### Charge One

Regarding Charge One, I **CONCLUDE** that the Department has proven the charges against appellant by a preponderance of the credible evidence. I further **CONCLUDE** that the six-day suspension is appropriate.

### Charge Two

Regarding Charge Two, I **CONCLUDE** that the Department has not proven by a preponderance of the credible evidence the charges of absence without leave and neglect of duty. There exists among Department employees significant confusion over the proper calculation of the date of return to duty after serving a suspension. Consequently, I **CONCLUDE** that the evidence does not support the imposition of the thirty-day suspension, and this charge must be **DISMISSED**.

### Charge Three

During this hearing, I closely observed the department of every witness, particularly the Department's charging witness and appellant. Both Lieutenant Hill and Officer Gonzalez appeared strong-minded, rigidly controlled, and at times indomitable. As the record developed, the charges against appellant, particularly the intensity of Charge Two and Charge Three, appeared to be in large part reflective of a festering growth of acrimony, not merely dislike between two individual employees of the Department, one superior in rank to the other.

Thus, while I **CONCLUDE** that the Department has proven the charges of insubordination, neglect of duty, failure to be punctual, and unprofessional use of language, given the obvious animosity between the Department employees, I **CONCLUDE** that the imposed forty-five-day suspension warrants a reduction making it more appropriate to the overall intertwined circumstance connecting Charge One, Charge Two, and Charge Three. I therefore **CONCLUDE** that a fifteen-day suspension is appropriate, justified, and supported by the credible evidence.

**Charge Four**

I **CONCLUDE** that the Department has proven by a preponderance of the credible evidence that Officer Gonzalez mishandled the domestic-violence call on March 9, 2015. Therefore, I **CONCLUDE** that the evidence supports charges of neglect of duty and false statements, for which the fifteen-day suspension is appropriate.

**ORDER**

**Charge One**

It is hereby **ORDERED** that the determination of the City of Newark Police Department to impose a six-day suspension on Officer Doris Gonzalez on Charge One is **AFFIRMED**.

**Charge Two**

It is hereby **ORDERED** that the determination of the City of Newark Police Department to impose a thirty-day suspension on Officer Doris Gonzalez on Charge Two is **REVERSED** and **DISMISSED**.

**Charge Three**

It is hereby **ORDERED** that the determination of the City of Newark Police Department to impose a forty-five-day suspension on Officer Doris Gonzalez on Charge Three is **REVERSED**. Instead, it is **ORDERED** that a fifteen-day suspension be imposed.

**Charge Four**

It is hereby **ORDERED** that the determination of the City of Newark Police Department to impose a fifteen-day suspension against Officer Doris Gonzalez on Charge Four 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.

June 26, 2017  
DATE

Mumtaz Bari - Brown  
MUMTAZ BARI-BROWN, ALJ

Date Received at Agency:

June 26, 2017

Date Mailed to Parties:

June 26, 2017

dlc

**APPENDIX**

**WITNESSES**

Presented by Appellant:

Officer Doris Gonzalez  
Officer Latasha Taylor  
Officer Eduardo Roces

Presented by Respondent:

Lt. Freddie Hill  
Lt. Mathew Milton  
Sgt. Marc Priccaciante  
Lt. Lawee Colbert, Jr.  
Sgt. Beatrice Golden

**EXHIBITS IN EVIDENCE**

For Appellant:

None

For Respondent:

- R-1 Final Notice of Disciplinary Action (w/Specification of Charges & Preliminary Notice of Disciplinary Action) dated March 3, 2015
- R-2 NPD Rules & Regulations, 3:2.5 Lawful Orders
- R-3 NPD Director's Memorandum on Equitable Distribution of Involuntary Overtime dated July 27, 2004
- R-4 Officer Gonzalez Sick & Back on Duty Cards dated September 28, 2014
- R-5 Administrative Submission of Officer Nathan Headd dated September 28, 2014
- R-6 Administrative Submission of Officer Kiva Williams dated September 28, 2014

- R-7 Administrative Submission of Officer Doris Gonzalez dated October 14, 2014
- R-8 NPD General Order on Sick Leave Policy dated June 26, 2006
- R-9 Investigative Submission of Lt. Freddie Hill dated November 3, 2014
- R-10 NPD Rules & Regulations, 18:8 Acts of Insubordination
- R-11 NPD Rules & Regulations, 5:4.1 Obedience to Orders
- R-12 NPD Rules & Regulations, 18:6 Neglect of Duty
- R-13 NPD Rules & Regulations, 18:11 Malingering
- R-14 NPD Rules & Regulations, 18:2 Absence Without Leave
- R-15 NPD Rules & Regulations, 18:22 False Statement
- R-16 Final Notice of Disciplinary Action (w/Specification of Charges & Preliminary Notice of Disciplinary Action) dated July 21, 2015
- R-17 NPD Rules & Regulations, 5:3.1 Punctuality
- R-18 Administrative Submission of Officer Doris Gonzalez dated March 25, 2015
- R-19 NPD Rules & Regulations, 17:1.11 Conciseness & Ordinary Use of Language
- R-20 Investigation of Personnel Report by Lt. Freddie Hill dated March 27, 2015
- R-21 Final Notice of Disciplinary Action (w/Specification of Charges & Preliminary Notice of Disciplinary Action) dated July 21, 2015
- R-22 Picture of 2 S. Place
- R-23 Picture of outer door at 2 S. Place
- R-24 Picture of inner door at 2 S. Place
- R-25 Recorded interview with domestic-violence victim
- R-26 Administrative Submission of Lt. Mathew Milton dated April 19, 2015
- R-27 NPD Rules & Regulations, 7:2.11 Render Assistance when Requested & 7:2.12 Investigative Disturbances
- R-28 Administrative Submission of Lt. Mathew Milton dated March 26, 2015
- R-29 NPD dispatch recording
- R-30 Administrative Submission of Officer Magaly Pinzon dated April 25, 2015
- R-31 Administrative Submission of Officer Marc Lindsey dated April 25, 2015
- R-32 Administrative Submission of Officer Eduardo Roces dated April 19, 2015
- R-33 Administrative Submission of Officer Doris Gonzalez dated April 19, 2015

- R-34 Investigative Submission of Lt. Lawee Colbert, Jr., dated April 27, 2015
- R-35 Final Notice of Disciplinary Action (w/Specification of Charges & Preliminary Notice of Disciplinary Action) dated July 21, 2015
- R-36 Administrative Submission of Officer Doris Gonzalez dated April 13, 2015
- R-37 Investigative Submission of Sgt. Marc Priccaciante dated April 22, 2015
- R-38 Administrative Submission of Officer Doris Gonzalez dated April 29, 2015
- R-39 Investigative Submission of Sgt. Marc Priccaciante dated May 2, 2015
- R-40 Service of Final Suspension Notice dated March 11, 2015
- R-41 Officer Doris Gonzalez Prior Disciplinary Record