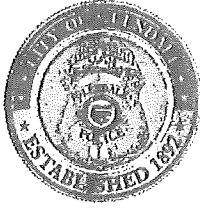


By Employee

JUL 17 2008



*a memorandum from the*

# Glendale Police Department

*Integrity • Courage • Excellence • Respect • Compassion • Dedication*

For Personnel File

By: MS

DATE: June 26, 2008  
TO: Matthew Schneider, Police Officer #12251  
FROM: Steve Conrad, Chief of Police SC  
SUBJECT: NOTICE OF SUSPENSION WITHOUT PAY FOR ONE WORK DAY (8 HOURS)

This memorandum serves as a Notice of Suspension without pay for one work day (8 hours) from your position as a Police Officer with the City of Glendale. This action is based on your violation of City of Glendale Human Resources Policies and Procedures and Glendale Police Department General Orders. The Glendale Police Department conducted Administrative Investigation 2008-028 into allegations that you ordered the destruction of personal property which was part of an investigation and should not have been destroyed. The findings of this investigation sustained the allegations made against you. Your misconduct constitutes major performance deficiencies and gross negligence in the performance of your job responsibilities.

On June 10, 2008, you were served with a Notice of Intent to Suspend without Pay for one work day (8 hours) and given an opportunity to respond to me by June 17, 2008. You did not respond to me by that date; therefore, I have decided to move forward to suspend you without pay for one work day (8 hours). For additional information regarding the specifics of this disciplinary action, please refer to Attachments 1-7, which were provided to you with your Notice of Intent to Suspend.

## BACKGROUND

On September 12, 2007, you authorized the destruction of personal property that was seized from a residence during a search warrant. You believed this property to be contraband. It was noted that the County Attorney's Office turned down the case and sent documentation indicating this to the Glendale Police Department as they felt there was insufficient evidence to convict the owner of the property. There was no court paperwork authorizing the property to be destroyed nor was the property considered contraband.

The Glendale Police Department conducted an Administrative Investigation [2008-028] into allegations that you violated General Order 22.057.B, Seized Property and Evidence. During the interview, you admitted that you did authorize the destruction of the personal property seized in this case as you believed it to be property used in the commission of a felony. You also admitted that you called the County Attorney's Office to question them as to why they were not going to prosecute the case, so you were aware they had turned down the case due to lack of evidence. This investigation confirmed that you had the knowledge, training, and experience in the processing of items of evidence and personal property and that you have been issued other Evidence

CoG\_WHEATCROFT 000718

Review Packets in the past in which you have both purged and retained property. You stated that you now understand that the items should not have been destroyed.

The investigation of this incident has shown you violated Glendale Police Department General Orders when you destroyed personal property which was part of an investigation even though you were aware that the County Attorney's Office found that there was insufficient evidence to prosecute the owner of the property. This is a major deficiency, as defined in the City of Glendale Human Resources Policies and Procedures, and constitutes negligent and careless job performance. Therefore, the allegation against you was sustained.

### **PREVIOUS DISCIPLINARY HISTORY**

On January 23, 2008, you were investigated for failing to follow department orders and directives, Administrative Investigation 2008-013. As a result of this investigation, you received a **One-Day Suspension**.

On November 26, 2005, you were investigated for unbecoming conduct, Administrative Investigation 2005-208. As a result of this investigation, you received a **Letter of Counsel**.

### **VIOLATIONS**

Your conduct demonstrates major performance deficiencies and is in violation of the following **City of Glendale Human Resources Policies and Procedures**:

#### **No. 504 – Employee Conduct**

Employees shall at all times conduct themselves in a way that reflects favorably on the public they serve. The City upholds, promotes, and demands the highest standards of ethics from all of its employees. Employees should maintain the utmost standards of personal integrity, truthfulness, honesty, and fairness in carrying out their public duties, avoid any improprieties in their roles as public employees, and never use their City position or power for improper personal gain. All employees are expected to respect and comply with all federal, state, and local laws, including all municipal policies, rules, regulations, directives, and procedures.

#### **No. 513 – Disciplinary System, Section II.E.2 Major Deficiencies**

These are acts that involve questions of trust or honesty, constitute a threat to the orderly City operations or pose a threat to the health, welfare or safety of employees or other individuals.

- Continued performance deficiencies after previous disciplinary action.
- Conduct unbecoming of a City employee.
  - On or off duty conduct which may bring discredit to employees of the City.
- Negligence or careless job performance.

Matthew Schneider  
Intent to Suspend for 1 work day  
June 2008  
Page 3 of 3

Your conduct is also in violation of the following Glendale Police Department General Orders:

22.057.B Seized Property and Evidence

- B. Employees shall not convert to their own use, manufacture, conceal, falsify, destroy, remove, tamper with, or withhold any property or evidence in connection with an investigation, or other police action, except in accordance with established department procedures

SUMMARY

Your actions described in this Notice are not in keeping with the image and high standards of performance expected of City employees. You failed to follow policy when you authorized the destruction of personal property which was part of an investigation and should not have been destroyed. This is inexcusable of a City of Glendale Police Officer and constitutes major performance deficiencies in violation of City of Glendale Human Resources Policies and Procedures and Police Department General Orders. As a result of your disregard for Department and City rules and regulations, I am moving forward to suspend you without pay for one work day (8 hours). You will serve your suspension on July 8, 2008.

You are further notified that immediate and sustained improvement in your job performance is expected. Your failure to adhere to the direction provided in this memo or other performance deficiencies will not be tolerated and will result in further disciplinary action, up to and including termination.

DUE PROCESS

You are hereby notified that Human Resources Policies and Procedures 513.F.2.f., gives you ten (10) calendar days from receipt of this letter in which to file a written Notice of Appeal of this action to the City Personnel Board. This Notice should be directed to Alma Carmickle, Human Resources Director, 5850 West Glendale Avenue, Glendale, Arizona 85301. Failure to file a written Notice of Appeal by 5:00 p.m. on JULY 22 2008 waives all procedural due process rights and terminates the right to a hearing relative to your suspension.

Acknowledgement of Receipt:

Matthew Schneider 12251 7-9-08  
Matthew Schneider, Police Officer #12251 Date Received

Served by:

St Frank Balkan 4165 7-9-08  
Supervisor name and serial number Date Served