

KAREN FREEMAN-WILSON
MAYOR



City of Gary

POLICE CIVIL SERVICE COMMISSION

Public Safety Facility · 1st Floor, Suite 1098
555 Polk Street · Gary, IN 46402
Telephone: (219) 882-4319 · Fax: (219) 881-5227

037

COMMISSIONERS
OLIVER J. GILLIAM
CHARLES W. JACKSON, JR.
RONALD JONES
DR. LINDA L. PETERSON
JEAN C. PRESTON
CHARLES R. SMITH

LEGAL COUNSEL
RINZER WILLIAMS III

ADMINISTRATOR
ANGELA BROWN

January 10, 2019

Officer Nicretia Jones

RE: Verified Complaint
19-CSC-01

Dear Officer Jones:

Enclosed is a copy of a Verified Complaint filed with the Gary Police Civil Service Commission on January 3, 2019. This Complaint will be presented to the Police Commission at its next monthly meeting.

Sincerely,

A handwritten signature in cursive script that reads "Angela Brown".

Angela Brown, Administrator
Police Civil Service Commission

Encl: Verified Complaint

c: Police Commissioners
Atty. Rinzer Williams, III
Chief Allen
Deputy Chief Evans
Atty. Pol
File

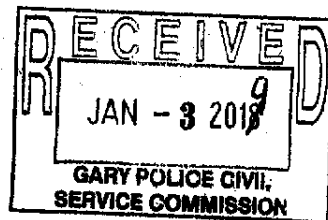
GPD Mailbox, Regular and Certified Mail Receipt #7010.1060.0002.4109.2746

STATE OF INDIANA)
COUNTY OF LAKE) SS:
CITY OF GARY)

BEFORE THE GARY POLICE
CIVIL SERVICE COMMISSION
GARY, INDIANA

CITY OF GARY)
Petitioner,)
)
v.)
)
OFFICER NICRETIA JONES,)
Respondent.)

Case No. ~~19-CSC-01~~ 19-CSC-01



VERIFIED COMPLAINT

Comes now Richard Allen, CHIEF OF POLICE for the CITY OF GARY, STATE OF INDIANA, pursuant to the GARY POLICE CIVIL SERVICE COMMISSION RULES AND REGULATIONS and GENERAL ORDERS OF THE CITY OF GARY POLICE DEPARTMENT, and represents that the above-named Respondent, OFFICER NICRETIA JONES, violated the following rules as follows:

- 1) That on or about September 1, 2018, Officer Nicretia Jones was an on-duty, duly sworn officer of the Gary Police Department.
- 2) That on said date, Ofc. Jones responding to a disturbance at in the 4200 block of W. 11th Place along with Ofc. D. Kirk and Cpl. J. Neilsen.
- 3) While investigating the disturbance, Ofc. Jones saw a civilian named Edward Strauss videotaping the officers nearby, but not close enough to cause an actual interference.
- 4) Ofc. Jones approached Strauss as he crossed the street and repeatedly ordered him to stop recording. Strauss refused and asked for Ofc. Jones' name and badge number.
- 5) Ofc. Jones grabbed Strauss' arm that was holding the camera and Strauss pulled his arm back. Ofc. Jones and D. Kirk then arrested Strauss and placed him into Cpl. Neilsen's police vehicle.

6) Ofc. Jones had previously received procedural justice training that specifically trained her to handle this situation differently. Her failure to comply with her training is highly detrimental to the Gary Police Department and the City.

7) As a result of Ofc. Necretia Jones' conduct, she violated the following Standard Operating Procedures of the Gary Police Department and is also subject to the following :

a. Code of Conduct 1-17:

Moral Conduct:

7. Professionalism:

a. Employees shall conduct themselves in a professional manner with the utmost concern for the dignity of the individual with whom they are interacting. Employees shall not unnecessarily inconvenience or demean any individual or otherwise act in a manner which brings discredit to the employee or the Police Department.

24. Conduct Unbecoming

b. Members shall conduct themselves in a manner that will reflect favorably upon the Department.

iv. ...conduct offensive to the public.

v. Conduct Unbecoming of the Department

b. General Order Number 1-94: Rules of Conduct

B. Obedience to Laws and Orders

5. Civil rights: All members shall observe and respect the civil rights of citizens as the term "civil rights" is commonly understood. Respect for constitutionally-protected rights is paramount.

6. False statements: On any official matter whatsoever, members shall not knowingly lie, give misleading information, or falsify oral or written communications in any official report or in their actions when it is

reasonable to expect that the information may be relied upon because of the employee's affiliation with the department.

D. General Conduct

3. Employees shall at all times be civil and courteous. They shall maintain an even disposition and remain calm, regardless of provocation, in executing their duties.

G. Duty

5. Officers shall identify themselves to any person requesting an officer's name, rank, and badge number.

8) As a result of Ofc. Necretia Jones' conduct, she violated the following Rules and Regulations of the Gary Police Civil Service Commission and is also subject to the following:

SECTION VIII. RULES AND REGULATIONS CONCERNING DISMISSALS, SUSPENSIONS, AND PUNISHMENTS

5. The charges against an officer may be filed by any person, including a Commissioner or by the Chief of Police. A police officer may be disciplined and charges may be filed against a police officer if:

(c) The Chief of Police finds him or her guilty of misconduct including:

(2) Violation of Commission Rules.

(7) Conduct injurious to the public peace or welfare.

(8) Conduct unbecoming a police officer or;

SECTION XII. DISCIPLINARY RULES

Members of the Police Department of the City of Gary may be subject to suspension with or without pay for a period of time set by the Commission, demotion, a fine not to exceed thirty (30) days' pay, dismissal from the Police Department or departmental discipline as

provided by I.C. 36-8-3.5-1(b) & Gary City Common Council Ordinance #5881 & amendments thereto according to the nature of the offense, for violation of any of the rules and regulations provided by law or for any of the following causes, to wit:

26. Conduct unbecoming a police officer - Conduct or behavior that a reasonable person under similar circumstances would recognize as grounds for disciplinary action.

WHEREFORE, GIVEN OFFICER NECRETIA JONES' VIOLATIONS OF THE STANDARD OPERATING PROCEDURES OF THE GARY POLICE DEPARTMENT AND THE GARY POLICE CIVIL SERVICE COMMISSION RULES AND REGULATIONS AND FOR ALL THE REASONS STATED ABOVE, CHIEF RICHARD ALLEN OF THE GARY POLICE DEPARTMENT PRAYS THAT THE GARY POLICE CIVIL SERVICE COMMISSION DISCIPLINE OFFICER NECRETIA JONES AND FOR ALL OTHER RELIEF JUST AND PROPER IN THE PREMISES.

Respectfully submitted,



RICHARD ALLEN, POLICE CHIEF
CITY OF GARY POLICE DEPARTMENT

THE UNDERSIGNED HEREBY CERTIFIES AND AFFIRMS THAT, BASED ON INFORMATION AND BELIEF, THE FACTS AND CIRCUMSTANCES HEREIN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



RICHARD ALLEN, CHIEF OF POLICE
GARY POLICE DEPARTMENT

STATE OF INDIANA)
)
COUNTY OF LAKE)

Before me, the undersigned, a Notary Public for Lake County, State of Indiana, personally appeared Chief Richard Allen, and acknowledge the execution of this instrument this 3rd day of January, 2019.

STAMP:

Angela Brown
Notary Public

STAMP:

