

Case Number: 98040007
Date of Violation: 4/1/98
Date Received: 4/7/98
Date to D/C: 4/7/98 10:10:59 A

How Received: Not Specified
Type of Complaint: Station
Date Back from D/C: 5/5/98

Complainant(s):

	<u>BADGE</u>	<u>VIOLATION</u>	<u>RR</u>	<u>OMS</u>	<u>DISPOSITION</u>	<u>ASSIGNMENT</u>
1	93012	Improper Procedure - Failure To Attend Court Oral Reprimand	502		Sustained	District 2

**DENVER POLICE DEPARTMENT
INTER-DEPARTMENT
CORRESPONDENCE**

TO: Captain Marco Vasquez, Commander, District Two

FROM: Tom Sanchez, Deputy Chief of Operations

DATE: May 5, 1998

**SUBJECT: ORAL REPRIMAND RR-502 CASE NUMBER: 98-04-0007
Officer John Witkowski, 93012**

By authority of the Chief of Police, I am issuing the following Oral Reprimand:


Officer John Witkowski, 93012, failed to attend court on April 1, 1998, in Courtroom 150 F. This is a violation of Rules and Regulations Section RR-502, which reads as follows:

RR-502 ATTENDANCE IN COURT

"Whenever any member is ordered to appear in court on any matter in which his presence is required, he shall attend punctually. If unable to attend, he must notify the court in advance."

Your recommendation that the officer receive an Oral Reprimand for this violation has been reviewed and approved.

Please enter this disciplinary action in the Supervisor's Situation Record, DPD Form #127, then forward a copy of this entry to the Internal Affairs Bureau.



Tom Sanchez, Deputy Chief of Operations

cc: Officer John Witkowski
Division Chief Timothy Cuthriell
Human Resource Management Bureau
Internal Affairs

**DENVER POLICE DEPARTMENT
INTER-DEPARTMENT
CORRESPONDENCE**

TO: Captain M. K. Vasquez, Commander District Two

FROM: Sergeant R. A. Silvas #77022

DATE: April 24, 1998

SUBJECT: Internal Affairs Case #98040007, Officer J. Witkowski #93012.

On April 7, 1998 the Internal Affairs Bureau received notice from the court liaison's office that Officer J. Witkowski #93012 failed to appear in courtroom 150 F on Bradley Sneddon, Docket #GS98-826932 at 8:00 a.m.

On April 23, 1998 I received this case for follow investigation. I reviewed this officers subpoena record and found that the subpoena for this case was received in the station on 3/28/98. There is no signature for receipt of the subpoena. The notice from the liaison indicates that Officer Witkowski placed himself on call on this case. The liaison's office attempted to contact the officer on the number he left #612-1982 which is his pager number.

On April 24, 1998 Officer Witkowski was advised of the Advisement Pursuant to an Internal Investigation. Officer Witkowski was then asked to complete a written statement. A review of the officers statement indicates that he placed himself on call and gave his pager number as the number to contact him. He stated that his pager was in another room from where he was sleeping and he did not hear the page. He stated that when he later checked his pager he found the page from the court. When he called about an hour later, he was informed that the case had been dismissed.

This investigation revealed that though Officer Witkowski did not sign for the subpoena, he had knowledge of the case and the date of the court hearing. Also, that he placed himself on call for this case through the on call system. The problem is that he did not keep the pager close to him and he missed the page.

Therefore, this case would have to be carried as sustained as to the ops. section RR-502, (Attendance in Court). This is this officers first violation in the past twelve months. As per the ops. man. section 103.01 (2) the penalty for this violation is an oral reprimand.

Respectfully,

Sgt. R. A. Silvas #77022

