

# TRINIDAD POLICE DEPARTMENT INTERNAL INVESTIGATION REPORT

INVESTIGATOR: Sgt. Barry

DATE OF INITIATION: 6/28/16

HOW COMPLAINT WAS RECEIVED: CITIZEN  PERSON  PHONE  OTHER  (Describe)

Phone call received from DA's Office regarding Warrantless Arrest Affidavit CR#16-01064

CITIZEN NAME:

PHONE NUMBER:

ADDRESS:

CITY:

STATE:

ZIP:

CITIZEN COMPLAINT SIGNED:  YES  NO STATEMENT FROM CITIZEN:  YES  NO

INTERNAL INVESTIGATION CONDUCTED:  YES  NO

INCIDENT CASE NUMBER:

OFFICER: P. Romero

RANK: Patrol Ofc.

NUMBER: 114 SHIFT:WII

SUPERVISOR: Sgt. Barry

OFFICER GIVEN GARRITY:  YES  NO DOCUMENT ATTACHED:  YES  NO

OFFICER PROVIDED INVESTIGATOR WITH STATEMENT:  YES  NO DOCUMENT ATTACHED:  YES  NO

INCIDENT IN VIOLATION OF DEPARTMENT POLICY:  YES  NO

CHAPTER

SECTION

SUBSECTION

TITLE

TYPE:


OFFENSE CRIMINAL IN NATURE:  YES  NO TYPE:

REFERRED TO DA FOR CHARGES:  YES  NO

INVESTIGATOR RECOMMENDATIONS:  VERBAL COUNSELING  VERBAL REPRIMAND  
 WRITTEN REPRIMAND  SUSPENSION  
 NO ACTION RECOMMENDED

INVESTIGATORS REPORT:

*SEE ATTACHED*

Signature: 

Date: 6/28/16

# EMPLOYEE ADVISEMENT FORM

DOCUMENT HAS BEEN REVIEWED WITH THE OFFICER BY THE FOLLOWING DEPARTMENT SUPERVISOR:  
 SUPERVISING SERGEANT  IA INVESTIGATOR  SUPERVISING OFFICER  CAPTAIN  CHIEF OF POLICE

## ACTION TAKEN BY SUPERVISOR:

VERBAL COUNSELING  VERBAL REPRIMAND  WRITTEN REPRIMAND  SUSPENSION SUGGESTION  
DAYS:  TERMINATION SUGGESTION  OTHER      DATE OF ADVISEMENT:

## ACTION TAKEN BY EMPLOYEE:

ACCEPTED  DECLINED TO SIGN  REQUESTED MEETING WITH CAPTAIN  REQUESTED MEETING WITH CHIEF  FILED GRIEVANCE

## ACTION TAKEN BY CAPTAIN

VERBAL COUNSELING UPHELD  VERBAL REPRIMAND UPHELD  WRITTEN REPRIMAND UPHELD  
 SUSPENSION UPHELD  OTHER UPHELD

## ACTION TAKEN BY CHIEF OF POLICE:

VERBAL COUNSELING UPHELD  VERBAL REPRIMAND UPHELD  WRITTEN REPRIMAND UPHELD  
 SUSPENSION UPHELD  OTHER UPHELD

SUSPENSION DAYS:  1  2  3  4  5  6  7  8  9  10

OTHER:

Supervisor signature:  date: 6/28/16

Employee Signature:  Date: 6/28/16

Captain Signature:  Date: 7-5-16

Chief of Police Signature:  Date: 7-5-16

## Narrative

On June 28, 2016 at approx. 1036hrs I, Sgt. Brandon Barry received a phone call from the District Attorney's Office in regards to a Warrantless Arrest Affidavit in the name of [REDACTED] that had been prepared by Ofc. Romero earlier on this same date.

In speaking with the DA's Office, I was informed that the Judge found it necessary to release [REDACTED] from custody, as Probable Cause could not be substantiated by the prepared affidavit. The DA's Office and the Judge determined that the affidavit was insufficient in length or detail so as to describe the domestic (marital status) relation between [REDACTED] and the victim, nor did it adequately describe/define the offense of Theft against either of the two victims, and it did not adequately describe which of the two females was the victim of the Theft/DV.

I was informed that the prepared affidavit was 2 paragraphs and one sentence in length.

I am aware that this arrest took place at approx. 0641hrs, with the original call coming in to TPD Dispatch at approx. 0135hrs this same date. Ofc. Romero did "stay after" the end of shift (0700hrs) to complete the affidavit for [REDACTED]. In conducting investigation into this matter, I was informed by WI Ofcs. that the affidavit prepared by Ofc. Romero was not reviewed by any of them (as is common practice for a late call/report) nor did I review the document prior to its submittal.

In conducting oral counseling with Ofc. Romero, I have advised him of the necessity of not only timely completion of paperwork, but also the required completeness and accuracy of documents for court/prosecutorial purposes. Ofc. Romero has been advised of the serious nature of this shortcoming, in regards to both his credibility as an Ofc. as well as the potential legal ramifications of such an error. Ofc. Romero has also been advised as to the expectations of myself as his Sgt. as to time management and proper and efficient reporting/documentation of incidents and arrests.

As oral counseling has been completed by me as Ofc. Romero's immediate supervisor (ultimately responsible for the actions of those under my command), I request no further action be taken against Ofc. Romero in this case, and that this record of oral counseling be placed in his file for the requisite time period.

  
Sgt. Brandon Barry