

Notice of Disciplinary Action

NORTH MIAMI POLICE DEPARTMENT

Employee: Officer Jodlyn Antoine ID #: 06-0171

Date: July 18, 2014

Classification: Police Officer

Assignment: Uniform Patrol

In reference to North Miami Police Department's Internal Affairs Investigation Case Number 2014-02, the Disposition Panel found the following allegations to be **SUSTAINED**:

❖ **Violation of the North Miami Police Department, Mobile Laptop Computers, Standard Operating Procedure 100.06 IV Paragraph B**

- Criminal Information System: The mobile laptop computers interface with the Florida Criminal Information Center (FCIC) and the National Criminal Information Center (NCIC). This information is strictly limited to law enforcement purposes and may not be disseminated to any person for any other purposes. Use of the FCIC/NCIC network is restricted to personnel who have received FCIC/NCIC training and hold an active certificate.

❖ **Violation of the North Miami Police Department, Mobile Laptop Computers, Standard Operating Procedure 100.06 IV Paragraph D Section 7**

- Information obtained through Department accessed programs is for criminal justice purposes only. Under no circumstances may the FCIC/NCIC database be accessed for personal use. "The mobile laptop computer system shall be used for work related purposes only".

❖ **Violation of CJIS Policies and Procedures – Ethics & Misuse – FCIC/NCIC**

- FCIC/NCIC is provided to criminal justice agencies and statutorily defined agencies for official criminal justice purposes.....of the misuse cases that are investigated, most will stem from one of the following categories: affairs of the heart, political motivation, monetary gain, or idle curiosity.

Officer Jodlyn Antoine admitted to using the FCIC/NCIC database (via a third party) in order to obtain information on the complainant's vehicle for the purpose of verifying the complainant's vehicle regarding his on-going discussions regarding money. Furthermore, Officer Jodlyn Antoine admitted that he disseminated the information provided from FCIC/NCIC to a civilian (specifically, the complainant).

❖ **Use of Uniforms – North Miami Police Rules and Regulations - Section 30**

- Members of the Police Department shall not wear uniforms at any time except when on active duty, on off duty jobs, or assignments of which the department has knowledge.

❖ **Off Duty Usage of Vehicle – North Miami Police Rules and Regulations - Section 42**

- No Police Department vehicle will be used by any member without the permission of their commanding officer, except in a serious emergency when it is impracticable to communicate with said commanding officer and in such an event the reason for the using the vehicle shall be communicated to their commanding officer as soon as possible.

❖ **Off Duty Usage of Vehicle – City of North Miami Administrative Regulations – Section 1-56.6**

- Off Duty Usage – take home vehicles will be used to commute to and from work, by the most direct available route as specified in the agreement, or for official business approved, in advance, by the department head. No private or personal business shall be conducted in take home vehicles except in accordance with paragraph 7 as it applies to sworn police officers who maintain their primary residence within the corporate limits of the City of North Miami.

Officer Jodlyn Antoine admitted that he responded to the complainant's place of employment, which is outside the city limits, while still in full Class 'B' Uniform, while operating his marked North Miami Police vehicle, after he cleared an off duty job and prior to responding to his residence.

❖ **Conduct Unbecoming – North Miami Police Rules and Regulations – Section 59**

- Officer shall conduct themselves, at all times, both on and off duty, in such a manner as to reflect most favorably on the department. Conduct unbecoming an officer shall include that which brings the department into disrepute or reflects discredit upon the officer, a member of the department, or that which impairs the operation or efficiency of the department or officer.

Officer Jodlyn Antoine repeatedly harassed the complainant, both by phone and in person, in order to obtain repayment of monies owed to his girlfriend. Officer Jodlyn Antoine is known to the complainant and witnesses to be a North Miami Police Officer and, at one point during these incidents, Officer Jodlyn Antoine was wearing his North Miami Police Uniform.

After reviewing the Disposition Panel's findings and considering all the factors, including Officer Jodlyn Antoine's disciplinary profile, I recommend that Officer Jodlyn Antoine receive the following Disciplinary Action:

1) Termination

Based on Internal Investigations Complaints, Counseling, and Discipline Standard Operating Procedure number 300.06 X Counseling: Paragraph B Section 4. (Page 18 - 19)

"The written reprimand along with any response by the employee shall remain in the employee's personnel file. Written reprimands older than two (2) years shall not be considered in determining further disciplinary action unless the employee has exhibited a pattern or a recurrence of a same or similar infraction. Written reprimands shall have a cumulative effect and may be grounds for more serious disciplinary action in the future."

Officer Jodlyn Antoine was given a written reprimand on June 11, 2012 for the following SUSTAINED allegations:

- ❖ North Miami Police Department, Mobile Laptop Computers, Standard Operating Procedure 100.06 IV Paragraph D, Section 7 - "Information obtained through Department accessed programs is for criminal justice purposes only", and
- ❖ North Miami Police Department, Mobile Laptop Computers, Standard Operating Procedure 100.06 VI Paragraph A - "The mobile laptop computer system shall be used for work related purposes only".

Based on Internal Investigations Complaints, Counseling, and Discipline Standard Operating Procedure number 300.06 X Counseling: Paragraph Section F. (Page 19 - 20)

"A dismissal is the final and most severe form of discipline administered. An employee may be dismissed from the City's employment when he/she has been previously disciplined, usually by a suspension, for an un-remedied behavior; repetition of serious offenses; or the first occurrence of a serious offense. Dismissal need not follow the progression of other discipline. An employee in the classified service may be dismissed by the City Manager upon recommendation or the Chief of Police, as provided for in Rule XIII, Section A and B, of the Civil Service Rules of the City of North Miami."

Input was provided by Sergeants Walter Sidd, Guillermo Prieto, and Milton Reid.

Employee Signature: _____ Date: _____

Distribution
Personnel Department
Employee's File (original)
Employee

Recommended By: Sergeant Joseph Kissel Date: July 18, 2014
Commander: _____ Date: 7-24-14
Major: _____ Date: 7/24/2014
Assistant Chief: _____ Date: _____
Chief of Police: _____ Date: 9-12-14